

The housing for teachers in the country is not quite as bright as it might be, and many teachers are living in substandard homes. If flats could be built in the country for single teachers it would be a great help. For instance, in Morawa there are at the moment 14 teachers. I think three or four of them are married and the others are single. It is pretty hard for them to get accommodation; and it is not much of a life for single teachers to live in a hotel.

I am not saying that these flats should be erected by the Government. It would be an economic venture for anyone to build flats in country areas for teachers and other young people working in those towns. As far as I know Dalwallinu is the only shire which has attempted to do something about the situation. It has converted a house into flats which accommodate nine girls. It is a wonderful opportunity for them to have such good clean accommodation, and I recommend anyone who has money to invest to look into this matter because it would be an economic venture. I feel sure the flats would never be empty.

The Hon. A. F. Griffith: Have you any information on the economics of the Dalwallinu project?

The Hon. J. HEITMAN: No, but I could get it for you.

The Hon. A. F. Griffith: I would be very interested to see it.

The Hon. J. HEITMAN: The shire has always told me it is pleased with the setup.

The Hon. A. F. Griffith: It was not a new building, I take it.

The Hon. J. HEITMAN: It had been up for three or four years.

The Hon. A. F. Griffith: It was a new building?

The Hon. J. HEITMAN: Yes.

The Hon. L. A. Logan: But it was not built for that purpose. It was converted.

The Hon. J. HEITMAN: Yes, it was converted for that purpose.

The Hon. A. F. Griffith: I would still be interested to have a look at it.

The Hon. J. HEITMAN: Very good. The next subject with which I wish to deal is the deepening of the Geraldton Harbour, about which we have heard a lot over the years. I feel sure the Government has this project in mind. It is essential for the development of the northern wheat-belt and of the town of Geraldton, as well as for the shipment of iron ore. Although I have mentioned it, I feel sure the Government has it well in mind and that something will be done at a very early date.

The State Electricity Commission has extended power from Geraldton. It is buying current from the Geraldton municipality at present and will, I understand, be extending its power lines to Northampton next year. It will also be supplying the new abattoir which will be erected in Geraldton shortly. We have been looking forward to this extension for some time and we hope it will be applied right throughout the northern areas the same as in the south. After all, power and water are essential for all country people, and they are entitled to these commodities.

One thing I would like to mention before I conclude is in relation to the abattoir at Geraldton. I just hope it will not become a monopoly when it is established, but that everyone will be able to have meat killed there. I do sincerely hope the situation will not arise where the owners will utilise the abattoir for the killing of their own meat and will allow no time for the killing of the meat of others. All too often we have seen in areas that a company will take over; but I do think any butcher should be able to buy meat and have it killed at the abattoir, and should be able to do its own buying and selling. I support the motion.

Debate adjourned, on motion by The Hon. R. Thompson.

House adjourned at 4.46 p.m.

## Legislative Assembly

Thursday, the 20th August, 1964

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## MR. JUSTICE VIRTUE

## Criticism by Member for Balcatta : Ministerial Statement

MR. BRAND (Greenough—Premier) [2.18 p.m.] : Mr. Speaker, have I your permission to make a statement?

The SPEAKER (Mr. Hearman) : Yes.

Mr. BRAND : I am gravely concerned at the statement made in this Chamber last night by the member for Balcatta to the effect that Mr. Justice Virtue has shown that he is not fitted for his position.

It is a vital principle of democratic government that public confidence should be maintained in the judiciary and that judges must be free to carry out their judicial responsibilities free from political interference or restraint.

If a judge is considered not fitted to carry out his duties, the law provides Parliament with the appropriate remedy.

The member for Balcatta said that he did not want to move a motion about the judge, but this did not prevent him from making an irresponsible and intemperate attack.

Mr. Graham : Cut out that tripe!

## Point of Order

Mr. TONKIN : I desire to know under what authority or Standing Order the Premier has a right to make a speech in order to attack a member on this side of the House.

The SPEAKER (Mr. Hearman) : He has my permission to make a statement.

Mr. TONKIN : Does that permission allow him to attack a member on this side or is he allowed only to state the facts?

Mr. Court : That is all he is doing.

Mr. TONKIN : In a statement he is not allowed to express an opinion.

The SPEAKER (Mr. Hearman) : I think it is left to the discretion of the Speaker to decide what is a reasonable statement.

Mr. TONKIN : Is the right to be accorded to this side to reply to the statement?

The SPEAKER (Mr. Hearman) : No. The Premier may proceed.

## Ministerial Statement Resumed

Mr. BRAND : I am very concerned also at the interjection of the member for Beeloo, who said that the overall record of the judge was terrible.

Mr. Graham : We are a bit concerned about your statements, too.

Mr. BRAND : I deplore these attacks made under parliamentary privilege, and I thought it desirable for the Minister for Justice to consult the Chief Justice. The Chief Justice has intimated that he views

The SPEAKER (Mr. Hearman) took the Chair at 2.15 p.m., and read prayers.

this matter with concern and has expressed the view that if a member of Parliament desired to raise a complaint of this nature, it should be done in the proper parliamentary manner.

Mr. Tonkin: And your statement should be, too.

Mr. BRAND: I am completely in accord with this view.

*Discussion of Ministerial Statement:  
Speaker's Ruling*

Mr. GRAHAM: Mr. Speaker, have I your permission to make a statement regarding the matter raised by the Premier?

The SPEAKER (Mr. Hearman): I think perhaps I should give some guidance to the House at this juncture.

A member: You're full of virtue over there!

Mr. Oldfield: Vicious virtue; that's what it is!

The SPEAKER (Mr. Hearman): Order! The position is that last night the member for Balcatta made a criticism of Mr. Justice Virtue. It was made in such a manner that it did not really become out of order until he actually named the judge concerned at the end of his statement on the matter.

It was ruled in 1929 by Mr. Speaker Walker, and in 1943 by Mr. Speaker Sleeman, that criticism of the judiciary was not permitted in this Chamber except by substantive motion. The Premier has seen fit to make a statement, and I cannot permit any further discussion on this question of the fitness or otherwise of Mr. Justice Virtue to hold his present position, unless there is a substantive motion before the House.

Mr. GRAHAM: If I give an assurance I have no intention of reflecting favourably or unfavourably on Mr. Justice Virtue, or any other justice, have I your permission to make a statement in connection with the attack lodged against myself by the Premier under cover of privilege with your consent?

The SPEAKER (Mr. Hearman): I cannot permit a debate on this subject at this stage as we have certain orders of the day and procedures to follow. A statement has been made, and the honourable member will have to afford himself another opportunity to reply.

Mr. GRAHAM: I want your guidance on this matter. I acknowledge without question the right of the Premier to be accorded the privilege of making a statement pertaining to a matter. I do not, however, with respect to you, concede the right of the Premier or anyone else, having received that acknowledgment from you, to continue to criticise and castigate a member of Parliament. I will agree with you that in ordinary debate that is part

and parcel of parliamentary procedure, but I feel you have allowed the Premier to do me an injustice, which he is entitled to do. However, I feel I am equally entitled to express myself concerning him and his observations.

The SPEAKER (Mr. Hearman): Well, I cannot allow it at this stage. The member for Balcatta will be given an opportunity at a later date.

Mr. GRAHAM: I violently disagree with your attitude.

The SPEAKER (Mr. Hearman): If there are no further notices, we will proceed to the questions. I will call on the Minister for Water Supplies.

Mr. TONKIN: The Address-in-Reply debate is before the House. I ask you why the Premier could not have made his statement during the course of that debate, and why he had to be granted a special privilege?

The SPEAKER (Mr. Hearman): I cannot answer that question, because I do not know why the Premier decided to take this particular course.

Mr. Tonkin: Could you not ask him?

Mr. Brand: Because it is a very urgent matter.

The SPEAKER (Mr. Hearman): The Premier asked permission to make a statement, and I have often given permission in the past when this request has been made.

Mr. GRAHAM: If you are ruling that I have not the right to express myself, then I wish to move to disagree with your ruling.

The SPEAKER (Mr. Hearman): I have ruled there can be no further debate at this stage on this particular matter.

Mr. GRAHAM: Will you inform me on this point: At what stage may I move that you no longer possess the confidence of this House?

The SPEAKER (Mr. Hearman): The member for Balcatta can give notice of that motion in the normal way. He can move it now.

Mr. GRAHAM: You certainly have amply earned it.

Several members interjected.

Mr. Graham: Bludgeoning tactics! Allows the Premier to say what he likes but allows no-one else to do so.

Mr. Court: You have made your own bed and will have to lie on it.

Several members interjected.

The SPEAKER (Mr. Hearman): Order!

Mr. Graham: If I am given a chance to.

Mr. Court: You have made your own bed and must lie on it.

Mr. Graham: What about the Speaker presiding instead of becoming a patron saint?

The SPEAKER (Mr. Hearman): Order! The Minister for Water Supplies has the floor.

Mr. Oldfield: Must we put up all the time with—

The SPEAKER (Mr. Hearman): Order! I call the Minister for Water Supplies.

Mr. OLDFIELD: On a point of order, must this side of the House always be subjected to barrages of insults and abuse from the Minister for Industrial Development?

The SPEAKER (Mr. Hearman): I did not hear the Minister for Industrial Development. I called the Minister for Water Supplies to give his answer to the first question on the notice paper.

Mr. Graham: You protect the lot of them all the time.

## QUESTIONS ON NOTICE

### COMPREHENSIVE WATER SCHEME

#### *Areas in Proposed Extension*

1. Mr. KELLY asked the Minister for Water Supplies:

- (1) In its application to the Commonwealth Government for £1 for £1 assistance to embark on a second stage of the comprehensive water scheme, what areas were indicated for inclusion in the proposed extension?
- (2) What basis of priority was used in reaching this recommendation?

Mr. WILD replied:

- (1) Details are set out in the document "Comprehensive Agricultural Areas Water Supply Scheme. A Request for Aid from the Commonwealth Government", which I now table.
- (2) (a) A period of from seven to eight years was considered a reasonable time for the State and Commonwealth Governments to make an agreement. Bearing in mind the likely ability of the State to contribute to the scheme from its loan allocations, a scheme costing £10.5 million was determined.
- (b) Priority was then given to areas within the boundary of the original (1946) scheme with a view to providing adequate supplies to towns and farmlands from which repeated requests for supply had been received over many years.
- (c) Due regard was, of course, given to areas which could be served after incurring heavy expenditure on major pipelines.

- (d) Finally, some small sections in the drier northern areas and east of Kulin, which are outside the perimeter of the original scheme, and from which many requests for supply had been received, were included.

*The document referred to in No. (1) was tabled.*

## STRAYING CATTLE

### *Action against: Nature and by Whom Taken*

2. Mr. W. A. MANNING asked the Minister representing the Minister for Local Government:

Where cattle frequently stray or graze on a public road in the country many miles outside town boundaries and cause traffic hazards:—

- (1) Should the shire or the police or both take any action?
- (2) If so, what action is practical?

Mr. NALDER replied:

- (1) The shire council is the appropriate authority to take action; but it is impossible to state with certainty whether action should be taken in every case, as this may depend upon circumstances.
- (2) Prosecution under section 484 of the Local Government Act.

3. *This question was postponed.*

## MIDLAND TECHNICAL SCHOOL

### *Enrolments and New Courses*

4. Mr. BRADY asked the Minister for Education:

- (1) What number of students registered or enrolled at the Midland Technical School during the past three years?
- (2) What new courses or subjects have been started during the same period?
- (3) Are students encouraged to study in Midland area in lieu of travelling to Perth?
- (4) Is the technical school working to total capacity?

Mr. LEWIS replied:

- (1) Enrolment figures for the past three calendar years are:—
- |      |       |
|------|-------|
| 1961 | 1,011 |
| 1962 | 1,187 |
| 1963 | 1,371 |

- (2) 1961: A full-time home economics course was introduced to cater for girls who wished to study dress-making, English, arithmetic, etc. as a prevocational course. Extra evening subjects introduced were:

Leaving Maths B,  
Leaving Economics,  
English Expression I,  
Junior Technical Drawing.

1962: Two new subjects were introduced:—

Elementary Mechanics and Design,  
Millinery.

1963: Evening subjects introduced were:—

China Painting,  
Cake Decorating,  
Malay.

Builders Detail Drawing was commenced as the first unit towards the builders diploma course.

The aircraft annexe was transferred from Perth Technical College to Midland Technical School and the major development this year was the stabilizing of this annexe, which caters for day apprentices and commercial pilots.

1964: New subjects introduced were:—

Accountancy II,  
Commercial Law B,  
Builders Construction Drawing I,  
Maths II B,  
Slide Rule theory,  
Engineering Chemistry,  
Diesel Engine Operation,  
Area Engines Gas Turbine,  
Area Engines Piston,  
Aircraft Electricity I,  
Japanese.

Three subjects offered for which no students were available were:

Preparatory Supervision,  
Elements of Supervision,  
Techniques of Supervision.

These represent an attempt to introduce a management diploma in the school. Although there were insufficient students offering this year, these subjects will be offered again in 1965 and this diploma will get under way eventually.

1965: The following new subjects have already been timetabled:—

Company Law,  
Company Accounts,  
Economics IA,  
Business Maths.,  
Commerce,  
Business Procedure.

In 1962 the school was used by Governor Stirling students.

In 1963 by Kalamunda High School students.

In 1964 by Belmont High School students.

In 1965 it is anticipated the school will be filled to capacity with its own students.

General School Policy: Each year the school is adding sufficient subjects in each diploma course to enable the students to proceed a step further.

- (3) Yes, in that class instruction is provided whenever the number of students is sufficient to justify economically the formation of a class.
- (4) The school is working to capacity in relation to the demands of the population in the area.
5. This question was postponed.

## APPRENTICES

### *Number Registered for Employment*

6. Mr. BRADY asked the Minister for Labour:

- (1) Is he satisfied with the number of apprentices being registered for employment in Western Australia?
- (2) Are Government departments accepting a full quota of apprentices?

### *Appointment of Apprenticeship Advisory Council*

- (3) When is the new board to deal with apprenticeship problems likely to be appointed?

Mr. WILD replied:

- (1) No.
- (2) The Government departments are training as many apprentices as they can possibly handle. A constant review is made of the position.
- (3) Invitations are about to be issued to representatives of the various employing and employee organisations to become members of the proposed apprenticeship advisory council.

## HOUSING FOR NATIVES

### *Erection on Benara Road Property*

7. Mr. BRADY asked the Minister for Native Welfare:

- (1) Are any houses to be built for natives on the Benara Road property in the near or distant future?
- (2) Is he aware a number of the Allawah Grove families are requiring houses?
- (3) Will consideration be given to building transitional type houses at Benara Road for above families?

Mr. LEWIS replied:

- (1) This matter is under consideration.
- (2) Yes. These families are reasonably housed, but some wish to move to better homes.
- (3) No decision has been reached as to whether this property will be used for houses for natives; or, if it is, what type of houses will be erected.

The department is currently erecting a conventional type house at Carlisle for one of these families.

## BUTTER AND MILK

### *Exports and Imports*

8. Mr. MITCHELL asked the Minister for Agriculture:

- (1) What amount of butter is exported from Western Australia?
- (2) What amount of milk or milk products is exported from Western Australia?
- (3) What amount of butter is imported into Western Australia?
- (4) What amount of butter is stored in Western Australia to meet seasonal shortages?

Mr. NALDER replied:

The following figures relate to the year ending the 30th June, 1964:—

- (1) 5,317 boxes, including 1,804 overseas.
- (2) Milk and Milk Products—Local Origin—

	lb.
Fresh milk (frozen)	2,041,000
Skim powder (Ritler)	426,804
Condensed and concentrated milk—	
Sweetened	905,124
Unsweetened	10,980
Cream	1,804
Cheese	828,805

In addition, the following products not manufactured in Western Australia were exported through this State:—

	lb.
Full cream powder	13,143
Skim powder (spray)	33,600
Ghee	7,200

- (3) 43,835 boxes, all from Victoria.
- (4) 59,879 boxes during 1963-64 of which 4,853 remained in store at the 30th June, 1964.

9 and 10. *These questions were postponed.*

## FLUORIDATION OF WATER SUPPLIES

### *Abandonment in Sweden*

11. Mr. TONKIN asked the Minister for Health:

- (1) Is he aware that the fluoridation of water supplies has ceased in Sweden?
- (2) As the city of Norrköping, Sweden, commenced fluoridation on the 1st February, 1952, and continued for 10 years, is it not strange that since the legal impediment, which caused a cessation of the experiment in 1962, was removed in that year the city has not resumed fluoridation?
- (3) Will he endeavour to ascertain the reasons why after 10 years' trial fluoridation has apparently been abandoned in Sweden?

Mr. ROSS HUTCHINSON replied:

- (1) to (3) No; but inquiries will be made.

## ESPERANCE SEA RESCUE ORGANISATION

### *Supply of Rockets and Firing Equipment*

12. Mr. MOIR asked the Minister for Police:

Would he make available to the Esperance Sea Rescue Organisation rockets and firing equipment for rescue work as supplied to other centres in this State?

Mr. CRAIG replied:

The provision of rocket firing equipment at other points on the coast will be considered in the light of experience gained in the use of the three sets already provided.

## ESPERANCE DISTRICT HOSPITAL

### *Extensions*

13. Mr. MOIR asked the Minister for Health:

- (1) Are extensions to the Esperance District Hospital at present under construction?
- (2) What is the nature of the extensions?
- (3) When will they be completed?

Mr. ROSS HUTCHINSON replied:

- (1) Yes.
- (2) Additional ward accommodation of 20 beds, plus service rooms.
- (3) The contract is due for completion in late November.

# FLASHING LIGHTS

## Installation for Esperance Railway Extensions

14. Mr. MOIR asked the Minister for Railways:

Is provision being made for the installation of flashing light signals where required on the projected extension of the Salmon Gums-Esperance railway to the wharf site with particular reference to the Pink Lake Road crossing and the Esplanade Road crossing?

Mr. COURT replied:

Pink Lake Road will have grade separation; i.e., a rail bridge over the road.

The Esplanade crossing will be a level crossing with a single shunting track to serve the new land-backed wharf. The provision of flashing lights will be a question to be determined by the Level Crossing Protection Committee.

# SILICOSIS

## Classification of Stages

15. Mr. MOIR asked the Minister for Health:

- (1) Will he indicate the various stages of silicosis as defined according to the International Labour Office classification?
- (2) Is this method of classification used when measuring the degree of silicotic affection in miners in this State?

Mr. ROSS HUTCHINSON replied:

- (1) The object of the International Labour Office classification is to codify the X-ray appearances in an easily reproducible way. It is intended to describe the persistent opacities associated with pneumoconiosis (which includes silicosis) which may be seen in an X-ray, but does not take into account the question of working capacity.

The stages are:—

- A. Normal X-ray—no silicosis.
- B. Suspect X-ray — increased lung markings only.
- C. Silicosis—
  - (i) Numerous linear or reticular opacities, the lung pattern being normal, accentuated, or obscured.
  - (ii) Small discrete opacities. These are classified according to both size and distribution.
 

Size—

    - (a) Punctiform opacities. Size up to 1.5 millimetres.

- (b) Micronodular or millary opacities. Greatest diameter between 1.5 and 3 millimetres.

- (c) Nodular opacities. Size between 3 and 10 millimetres.

## Distribution—

### Category 1—

A small number of opacities in an area equivalent to at least two anterior rib spaces and at the most greater than one-third of the two lung fields.

### Category 2—

Opacities more numerous and diffuse than in category 1 and distributed over most of the lung fields.

### Category 3—

Very numerous profuse opacities covering the whole or nearly the whole of the lung fields.

## (III) Large opacities—

### Category A—

An opacity having a longest diameter of between 1 and 5 centimetres, or several opacities each greater than 1 centimetre, the sum of whose longest diameters does not exceed 5 centimetres.

### Category B—

One or more opacities, larger or more numerous than those in category A, whose combined area does not exceed one-third of one lung field.

### Category C—

One or more large opacities, whose combined area exceeds one-third of one lung field.

- (2) Yes.

## ROAD AT GRASS PATCH

### Reconstruction

16. Mr. MOIR asked the Minister for Education:

- (1) Is he aware that the road serving farmers to the west of Grass Patch was so badly affected by rains this year that it was impossible

to transport school children by bus thereby causing the children to miss considerable tuition at school?

- (2) Has his department referred this to the Main Roads Department with a view to having this road reconstructed in order that the children can be transported safely and regularly to the school?

Mr. LEWIS replied:

- (1) and (2) No report has been received. The matter is under investigation.

## SCHOOL BOARDING ALLOWANCE

### *Increase for North-West Children*

17. Mr. BICKERTON asked the Minister for Education:

- (1) Is it his intention to increase the school boarding allowance for north-west children from the present sum of £80 per annum?  
(2) If so, when and by how much?  
(3) If not, why not?

Mr. LEWIS replied:

- (1) to (3) This matter is currently receiving consideration.

## LOTTERY PRIZE MONEY

### *Amount Unclaimed*

18. Mr. TONKIN asked the Chief Secretary:

- (1) What amount of prize money has remained unclaimed from the Lotteries Commission from the month of October, 1963, to the month of July, 1964 (both inclusive)?  
(2) What is the explanation for the abnormal amount of unclaimed prize money (£18,176) shown in the commission's financial statements for February last covering consultations 1554-1561 inclusive and 127?  
(3) What steps does the commission take to bring to the notice of holders of tickets relating to unclaimed prizes that they have become entitled to a prize?

### *Commission's Advertising Expenditure*

- (4) Under what item in the statement of income and expenditure is the commission's expenditure on advertising shown?  
(5) What was the total amount spent on advertising during the period covered by the audited statements for the months of October, 1963, to May, 1964 (both months inclusive)?

Mr. ROSS HUTCHINSON replied:

- (1) £26,049.  
(2) The reason for the abnormal amount of unclaimed prize money shown in the financial statements for February is due to the fact that it was decided, in concurrence with the Auditor-General's Department, to reduce the period for carrying these moneys in a special unclaimed prize account from 12 months to six months. This necessitated transferring an additional six months' unclaimed prize money as shown in the statement. In no way does it affect the payment of these prizes should the winner establish his claim to such prize within the prescribed time of seven years of the drawing date of the lottery. The change was made to improve the accounting systems. It will be noted that the balance for unclaimed prizes shown as a current liability of £21,595 in the January statement has been reduced to £4,638 in the February statement.  
(3) Approximately six weeks after the drawing of each consultation the prize book is examined and where there is sufficient legible name and address or address only, appropriate letters are forwarded to the address given. Approximately 200 such notices are forwarded each week.  
(4) Direct advertising expenses are included with printing, stationery, and equipment.  
(5) The total for this item during the period mentioned was £25,728 of which direct advertising was £7,333.

## KINDERGARTENS

### *Building Subsidies*

19. Mr. GRAHAM asked the Minister for Education:

- (1) Has he yet made a decision regarding payment of subsidies to assist in the erection of buildings for kindergarten purposes?  
(2) If so, what is the nature of such decision?  
(3) If not, when can a decision be expected?  
(4) What was the date of the deputation to him by the Shire of Perth in connection with this matter?

Mr. LEWIS replied:

- (1) to (3) This matter was included with several other requests which were made to me by the Kindergarten Union on the 10th August, 1964, and which are currently being closely examined. A decision will be made as soon as possible.  
(4) The 22nd August, 1963.



## BUS DEPOT AT TUART HILL

### *Discontinuance of Site*

20. Mr. GRAHAM asked the Minister for Transport:

- (1) Has a firm decision yet been made to discontinue use of the M.T.T. bus depot at the corner of Hector Street and Wanneroo Road, Tuart Hill?
- (2) When is it likely that use of the present site for a bus depot will cease?

### *New Depot*

- (3) Where will the alternative depot be situated?

Mr. CRAIG replied:

- (1) No.
- (2) Unknown. A great deal of investigation regarding a future depot site in the northern suburbs has been undertaken and is still continuing. Suitable sites are restricted and the building of proposed roads have a direct bearing. It is not known at present whether the construction of the new depot will completely obviate the use of the existing one at Tuart Hill; this will depend on its location. The availability of funds for building is also a factor as to when the new depot can be built.
- (3) Answered by Nos. (1) and (2).

## W.A. INSTITUTE OF TECHNOLOGY

### *Five-year Expenditure Programme*

21. Mr. D. G. MAY asked the Minister for Education:

- (1) Is he aware that in 1963 the Education Department announced that it would spend £2,000,000 over a period of five years in connection with the new W.A. Institute of Technology?
- (2) Since this announcement, has there been any alteration to the anticipated expenditure on this project over the mentioned five-year period?
- (3) If so, will he indicate full particulars?

Mr. LEWIS replied:

- (1) Yes.
- (2) No. However the trends in technical education are constantly under review and expenditure will be reviewed as necessary and as finances permit.
- (3) See answer to No. (2).

## WHEAT TRANSPORT

### *Rail Tonnage and Revenue*

22. Mr. D. G. MAY asked the Minister for Railways:

Will he indicate the tonnage and applicable revenue return for the rail transport of wheat for the period 1963-64?

Mr. COURT replied:

Tonnage: 1,473,981 tons.

Earnings: £3,546,788.

23. *This question was postponed.*

## NORTH-WEST HOSPITALS

### *New Ward at Derby Hospital*

24. Mr. RHATIGAN asked the Minister for Health:

- (1) When will work commence on the new ward at the Derby Hospital?

### *Contract for Broome Hospital*

- (2) Has a contract yet been let for the new district hospital at Broome?

### *Wyndham Hospital*

- (3) Has the Government any plans in mind for a new hospital at the new townsite of Wyndham?
- (4) If so, what are the plans?

Mr. ROSS HUTCHINSON replied:

- (1) A contract has been signed, and it is anticipated that work will commence within the next few days.
- (2) No; but an announcement on this will be made shortly.
- (3) Yes.
- (4) Preliminary planning will commence this financial year. The department's ability to finalise and call tenders is dependent on the availability of the necessary loan funds.

## DECIMAL CURRENCY

### *Western Australian Design*

25. Mr. DAVIES asked the Premier:

- (1) Were any representations made to the Federal Government to have a design peculiarly Western Australian included on any of the new decimal currency coins or notes?
- (2) If so, what was the outcome?
- (3) If not, will he make suitable representations?

Mr. BRAND replied:

- (1) No.
- (2) Answered by No. (1).
- (3) I understand that the design has been determined, but I am making appropriate inquiries.

26 and 27. *These questions were postponed.*

## STATE AID FOR DENOMINATIONAL SCHOOLS

### *Proposals Submitted to Premier*

28. Mr. HALL asked the Premier:

Were the following proposals submitted to him on 23rd August, 1962:—

- (a) Payments to schools for each secondary school child to amount to a cost equal to the Government cost of educating a child in State high schools?
- (b) Application of the living-away-from-home allowance to parents of all secondary school children irrespective of whether or not there was a local high school in the district?
- (c) Assistance in capital development either as grants to cover interest payments on capital borrowed from commercial institutions or as capital loans free of interest or at a low rate of interest, repayment to be over 25 years?
- (d) Certificated teachers to serve their bond at any secondary school?

Mr. BRAND replied:  
Yes.

## CANNING PARK RACECOURSE

### *Establishment of Industrial Estate: Negotiations with Mr. W. Davison*

29. Mr. D. G. MAY asked the Minister for Industrial Development:

- (1) When did the Government commence initial negotiations with British investor, Mr. W. Davison, regarding the proposed 200-acre industrial estate at Maddington?
- (2) Is it a fact that Mr. Davison initiated the first inquiries relative to the establishment of an industrial estate at Maddington?

Mr. COURT replied:

- (1) and (2) Mr. W. Davison first visited this State in January, 1963, looking for investment opportunities and was shown several properties, including the Canning Park Racecourse.

Our industrial representative in the United Kingdom maintained contact in London with Mr. Davison over the period July, 1963, to March, 1964. During my visit to the United Kingdom further negotiations resulted in a firm proposal being submitted to the Government by Mr. Davison. On the 26th May, 1964, Cabinet approved

of further discussions being undertaken on the site with Mr. Davison and following a visit by Mr. Davison in July, 1964, Cabinet approved of terms and conditions to be incorporated in a formal agreement.

## ROTTNEST WATER SUPPLY

### *Desalination Plants*

30. Mr. OLDFIELD asked the Minister for Lands:

- (1) How many desalination plants have so far been tried at Rottnest Island?
- (2) What was the cost of each?
- (3) What success so far has been achieved in the desalination of water supplies at Rottnest?
- (4) What has been the total cost to date of attempting to obtain sufficient supplies by desalination?
- (5) Is it intended to continue the attempt to obtain sufficient supplies by this method?

### *Cost of Pipeline from Mainland*

- (6) What would be the cost of laying a two-inch polythene pipeline from the mainland to Rottnest?

Mr. CRAIG (for Mr. Bovell) replied:

- (1) Two.
- (2) One plant was purchased at a cost of £17,794. The second plant was a replacement by the Contractor, at no extra cost.
- (3) 916,330 gallons of fresh water have been produced by the desalting plants since their installation.
- (4) £23,652.
- (5) It is planned to continue using the existing desalting plant.
- (6) The cost of laying a two-inch polythene pipeline from the mainland has not been estimated as it would have too low a capacity. A four-inch polythene pipeline would cost, very approximately, £100,000.

## TEENAGE AMUSEMENT CENTRES

### *Amendment of Police Act to Control Misbehaviour*

31. Mr. OLDFIELD asked the Minister for Police:

- (1) Is he aware of the misbehaviour occurring in the vicinity of the Civic Theatre, Inglewood, and various other trouble spots such as the Scarborough "snake-pit"?
- (2) Is he also aware that as the Police Act now exists the department is hampered in dealing with problems such as these when they arise?

(3) If so, is it the Government's intention to amend the Police Act accordingly?

(4) If not, why not?

Mr. CRAIG replied:

(1) Yes. This particular Inglewood area and similar places are receiving constant attention by the police. Since April last, there have been nearly 100 Police Court charges arising from behaviour at Inglewood.

(2) No, but arrangements are now in hand towards increasing penalties under the Police Act.

(3) and (4) Answered by No. (2).

### PARLIAMENT HOUSE LIGHTS

#### *Details of Chandeliers*

32. Mr. OLDFIELD asked the Premier:

Regarding the chandeliers in Parliament House, will he supply the answers to the following questions:—

(a) How many have been installed?

(b) What was the total purchase price?

(c) What was the cost of assembling and installing?

(d) Who recommended the purchase and installation?

(e) Who approved the purchase?

(f) Who placed the order for purchase?

(g) From whom were they purchased?

(h) Is it intended to replace any of them with more suitable and conventional lighting; and, if so, how many?

Mr. BRAND replied:

(a) 166.

(b) £6,027.

(c) Cost of assembly included in (b). Installing £1,411.

(d) Purchase and installation was recommended by the design architect for the project.

(e) The Principal Architect at the time.

(f) The Public Works Department.

(g) British General Electric and Atkins Ltd.

(h) Improvement of lighting levels is being investigated at the present time.

### MILK FOR SCHOOLCHILDREN

#### *Availability of Free Supply to Correspondence School Children*

35. Mr. BURT asked the Minister for Education:

(1) Who is responsible for the distribution of free milk to school children?

(2) Are children who are taught by correspondence eligible to receive free milk?

(3) If not, would he investigate the possibilities of introducing a scheme to make tinned milk or fruit juice available to children who are taught by correspondence, and who are entitled to the same benefits as those who can attend schools?

Mr. LEWIS replied:

(1) The Education Department arranges distribution on behalf of the Commonwealth.

(2) No. Only children attending a school are eligible for free milk.

(3) Representations have been made to the Commonwealth on several occasions and have been refused.

### PARKING METERS

#### *Installation by Local Government Authorities*

36. Mr. NALDER (Minister for Agriculture): Yesterday, in answering question No. 13 put by the member for Beeloo, I quoted the wrong paragraph of the section and I wish to make a correction. Instead of paragraph (e) it should be paragraph (1); that is, section 512 (1).

### QUESTION WITHOUT NOTICE

#### TRANS AUSTRALIA AIRLINES

#### *Operation of Service in Western Australia*

Mr. BICKERTON asked the Minister for Transport:

Yesterday I asked the Minister to table any relevant papers in connection with the approaches which may have been made by Trans Australia Airlines for permission to operate in Western Australia. He tabled those papers, and from the file I notice that the last correspondence on it is dated the 8th August, 1956. My question now is: Have there been any approaches made by Trans Australia Airlines since 1956 to operate in Western Australia?

Mr. CRAIG replied:

I have been informed that there have not been, but in view of the query raised by the honourable member I will make further inquiry and advise him accordingly.

33 and 34. These questions were postponed.

## ADDRESS-IN-REPLY: EIGHTH DAY

### Motion

Debate resumed, from the 19th August, on the following motion by Mr. O'Connor:—

That the following Address be presented to His Excellency the Governor in reply to the Speech he has been pleased to deliver to Parliament:—

May it please your Excellency: We, the members of the Legislative Assembly of the State of Western Australia in Parliament assembled, beg to express loyalty to our Most Gracious Sovereign, and to thank Your Excellency for the Speech you have been pleased to address to Parliament.

**MR. GAYFER** (Avon) [2.43 p.m.]: In speaking to the Address-in-Reply at this stage of the debate, I must admit that His Excellency the Governor's Speech must have been well and truly spoken to judging from the endorsement of facts by members on this side of the House, and the omissions referred to by members on the other side of the House. Like the member for Balcatta—who made his contribution in his usual eloquent style through his newly-obtained rose-coloured spectacles—I, too, Mr. Speaker, welcome you back. I am sure the thoughts and impressions which you must have gained from your visit to the great Houses of Parliament in London will have given you the added knowledge which will stand you in good stead for many years whilst continuing to occupy the high office you now hold.

**Mr. Bickerton:** He is going to switch, is he?

**Mr. GAYFER:** The main topic which has been raised in eloquent speeches I have heard seems to centre in the recent flood conditions in the south-western portion of the State. We, in the wheat and sheep areas, sympathise with people in places such as Collie, Bunbury, and Harvey. We sympathise with the problems that have been put forward by the members representing those particular areas.

**Mr. H. May:** Nannup is much worse off than Harvey.

**Mr. GAYFER:** However, we in the southern areas of the wheatbelt and along the old Midland railway line have equally great flooding problems so far as the financial set-up of our own lives is concerned. This, of course, does not cover the entire region of the wheat and sheep areas, but I have mentioned a specific part. In the agricultural areas we suffered incessant rain for days and days and, in fact, for weeks on end and, as a result, the crops could not be sown. We got one week of fine weather during which we were able to get portion of the crop into the ground. More rain immediately fell after that week

and there is much evidence of burst grain as, on large areas of fallowed ground, there is no sign of any growth whatsoever.

If that was all that had occurred it would not be too bad, but when it comes to the inevitable soil erosion, which is leaving a marked imprint on the whole of the agricultural areas at present, it becomes more serious. However, we are fortunate in the eastern side of the agricultural areas where there are signs of farmers having a very good year, and the wheat experts already estimate that 4,750,000 acres of land to 4,800,000 acres of land—a figure almost exactly the same as last year—have already been sown.

The prospects for the wheat crop are estimated—and I say estimated—at some 60,000,000 bushels, as compared to last year's total of 47,000,000 bushels. Personally, I cannot see that figure being reached, but that is the estimate by the experts. Last year we had rust and septoria to contend with on the same acreage, and even at this stage we could encounter some of those diseases among the crop and also some root rot, especially if there is a falling off of the rains from now on.

To make the position clear to the laymen in the Chamber I would point out that if the wheat roots close to the surface we must have continuing rains to keep the surface area wet so that the wheat roots do not burn off. However it is a pity—and I repeat, a pity—that we can only expect 60,000,000 bushels of grain for this year. It is quite apparent that if we had not had these two wet years, but ordinary average seasons right throughout the State—and in particular in our wheat areas—we would have had an annual production of nearly 86,000,000 to 90,000,000 bushels of wheat grown in this State. Here it must be borne in mind that our wheat lands stretch over a vast area comparable with the distance from Brisbane to Melbourne.

When one considers that we would have approached, and possibly eclipsed, the New South Wales average of 80,000,000 to 90,000,000 bushels of wheat, it will be realised that we are rapidly reaching the stage where we are the largest wheat producer in the Commonwealth. If primary industry is still Australia's main revenue earner, then Western Australia, by its promised supremacy in this field, will undoubtedly lead the way to the future prosperity of Australia.

Unfortunately, in this keen race for supremacy in primary industry—which is, I repeat, the most important industry this State owns—we are clearing something like 1,000,000 acres of land every year. We hear this figure quoted all the time, but the implications of what that 1,000,000 acres of land brings to the State is not, perhaps, fully realised. The amount of extra money that has to be expended to open up this land, and the repercussions that are experienced after such a year as

this one, become very apparent when the cleared land drains surplus water on to lands below it thus bringing about these huge flooded areas. This is most noticeable in my electorate of Avon.

In an area stretching from Brookton to Corrigin—and covering the Yealering district—and from Ardath to Kondinin and out to Hyden in the area of the member for Roe, where these huge areas of clearing are being developed, it is noticeable that we have a chain of lakes—a river system almost—being created in the eastern wheatbelt. There is no drainage from these lakes, and therefore all the flat areas, embracing millions of acres of prosperous wheat land, become flooded. The road system across these lakes leading east of Corrigin are all causeways. Even the Main Roads Department constructs causeways across these lakes, and every lake right through my electorate into the Merredin-Yilgarn electorate. The road is a causeway across the lake, and it has the effect of damming the lake. It literally and actually spreads the water behind it, until the road becomes impassible. The water then flows across the roadway, and it is out of action.

Already roads east of Corrigin are out of action and are impassible. Some farmers living 12 miles out of Corrigin have to travel some 70 miles to get to town in a roundabout way. Unfortunately it applies not only to this flood year. I hope sincerely that these problems, which are being caused not only by these two wet years, but by the increased clearing of land, will be looked into and will be further acknowledged as of primary importance to the agricultural areas.

I wish to read an extract of a letter sent to me by the Acting Minister for Agriculture (Mr. Lewis) dated the 17th July, 1964, in which he quoted an extract from the file of the Commissioner of Soil Conservation (Mr. Lightfoot) concerning these flooding problems. Mr. Lightfoot writes thus—

Drier wheatbelt flooding problems have given concern for several years and great concern for more than the last year. Public Works engineers urged great caution on drainage, for legal and physical reasons; and soil conservationists cannot permit runoff if it can reasonably be reduced or stopped.

For these reasons I instructed soil conservation advisers in December, 1963, not to advise drainage, except where floodwater adjoined a lake or natural drainage channel. This was really no more than reiteration of a policy which has been in force for 15 or 16 years.

Flooding in the drier wheatbelt was becoming more widespread in recent years, and has been greatly emphasised by the very wet year of 1963.

This is happening in the broad valleys of the drier wheatbelt where there are no definite natural drainage lines except occasional creeks. These usually run for a mile or several miles then discharge onto flat country.

It appears no general relief from these flooding problems can be expected by drainage without major expenditure on whole river systems and beyond. Even then relief from flooding could be much less than expected. The engineers are greatly concerned by the probability of numerous compensation claims on the State for damage by flooding, if it can be said this has been directly or indirectly caused by following advice given by Government officers. They are also concerned by likely erosion in major rivers and drains, and its effects, if any drainage system to give relief to these flooded areas, were to be made.

If policy favours drainage in hopes of quick relief, results will be costly and disappointing and it is an engineering problem almost entirely. If relief from soil conservation is sought, and this I strongly recommend, the results will be satisfactory. However, a considerable staff expansion would be needed to get big results in any reasonable time.

At the present time our staff is overwhelmed. In the central wheatbelt requests for help on flooding alone would occupy present staff for about 50 years. Requests for such help continue to arrive at the Department of Agriculture and at district offices.

Anybody who chooses to listen to that with any degree of sympathy will notice that we have a major problem developing in the agricultural areas, and it is a pity at this stage that the Commonwealth Grants Commission last year said, in effect, that too much money was being spent on agriculture. This is a good case—and there are many other cases—to justify why more money must be spent on soil conservation, and on the provision of more field advisers and research stations. Seeing that agriculture is the greatest industry in this State it should have the most money spent on it.

Mr. Kelly: Britain spends £240,000,000 a year on agriculture.

Mr. GAYFER: Today we are farming where we never deemed farming to be possible, and that has only been made possible by the great advances which have been made in agriculture, machinery, and research.

I noticed in the Federal Budget speech delivered last Tuesday that, amongst many other items, an amount of £3,000,000 has been put aside to stabilise the price of petrol in country areas. I feel sure that many members will join me in wanting to know how long it has been a fact that

only the price of petrol has to be subsidised. Surely when we heard of this we expected dieselene, power kerosene, crude oil, oil, and oil products to be included in this mass saving that was being handed out to us in the back blocks. I do hope it will be another form of help to encourage the young farmers to go out east, and further east, to try to open up new land economically. But if the assistance I have mentioned is to be applied to petrol alone—I would like some clarification on this point—then I feel sure it must be a mistake.

I quote from the report relating to Federal Budget increases which appeared in *The West Australian* of the 12th August, which happened to be my birthday; and it was not a very happy birthday when I read it. I also noticed there is an amount of £10,000,000 to be set aside for housing for young couples, on a basis of £3 to £1. We are told that if a young married couple can save £250, then the Government will contribute £750, in order to assist the couple to build their home and make a start in life. That is a magnificent gesture. I sincerely hope the young farmers in the country will be able to take advantage of this magnificent gesture. It will be the means of starting them off.

Mr. Ross Hutchinson: I think you quoted the basis of assistance the other way around. The Government contributes £1 for every £3 saved by the couple.

Mr. GAYFER: I thank the Minister for that correction. I also noticed in the Budget that £1,800,000 has been put aside for the "high cost"—and I repeat the "high cost"—"of the superphosphate bounty". This superphosphate bounty has done exactly what we, the country representatives here, said it would do last year. If a farmer has a certain amount to spend on super he spends that amount every year; and the more tons of super that money will buy, the more super he uses. The extra tonnage of superphosphate creates more employment, more shipping, more carting, and a greater return from the soil; and all this brings about a greater overall return to the State.

I notice that the income from rail freight on superphosphate alone has increased from £82,827 in 1947-48 to £1,077,138 in 1962-63. Even without the increases in freight—I feel sure that is likely to be mentioned—it would still represent well in excess of an 800 per cent. lift on the 1947-48 figure.

However, whilst we are on super and bounties: We have noticed that the price of super was to increase in New South Wales by some 17s. I believe the Customs and Excise officers had a look at this and eventually on their recommendation the superphosphate price in that State was increased by 13s. 6d., a difference of 3s. 6d. It was felt this difference was brought

about by the shortage of super in that State and the fact that super had to be brought in from other States.

Superphosphate was made short in New South Wales because the farmers went for more super on account of the super subsidy; and consequently New South Wales, not having the storage, had to import more. Because of that factor the price was to have been increased by this 3s. 6d. I noticed also in this State—the same reasons have been given for an increase in the price: rising costs, long service leave, wage increases, increased leave, and an increase in the price of phosphate rock—that there is now an increase of 9s.; in other words, an increase of 9s. on the 852,000 tons used last year, which will add a burden of £383,400 on the farmer, or approximately £500,000 this year when the super tonnages increase.

If we were talking about an increase caused by the shortage of phosphate rock I was quickly brought to a state of disillusion on this point, as I understand there are 24 years' supply of phosphate rock still at Nauru and Christmas Island. Ironically, such an increase follows on the £3 bounty to the farmers, which was to allow them to buy more super than they were buying, and which has caused a fall-off in stocks in certain parts of all States.

It is also ironical that in Victoria, the only State with a farmer-owned super company, prices have not been increased; and last season's prices, despite all the other opposition the company has in that State, were down by 17s. 6d. per ton on Western Australian super. In addition, the shareholders of this farmers' company can get a rebate, so a shareholder can have a further reduction of 13s. 6d. a ton. It is a matter of interest that bulk super in Western Australia is £7 2s. per ton; and after the rebate is taken, the Victorian Co-operative will sell to its farmers super at the price of £5 11s. per ton. I admit there is a difference of one per cent. in the confirmation of this super by way of the phosphate additive, but I am sure that one per cent. would not allow for some 31s. difference in the price of super.

Mr. Tonkin: What has the Government which you support done about this?

Mr. GAYFER: In the Budget speech I also noticed there are various moneys to provide a pound for pound loan for a proposed water scheme to go through various parts of the State. I noticed, too, in the paper of the 14th August, 1964, that the Premier said that this water aid is not a grant. In other words, I feel sure we in the agricultural areas were expecting a straightout grant to be made of some £10,000,000 in order to bring water to parts of the State which certain of us have acknowledged need water to improve conditions in those parts, and when that money was available and these parts of

the State were satisfied by grant money, then the grant moneys of the State would be put into other areas of the State which were not included in the £10,000,000 plan.

In a map that was published in *The West Australian* of the 13th August I noticed a large area which is to be included in extensions to this comprehensive water scheme if the Government accepts the offer of a pound for pound loan to be based over 25 years. I understand ten years will be free from repayments and the loan will be repaid over the following 15 years. I also noticed a large tract of country, perhaps the oldest farming country in Western Australia, that unfortunately is not included in this scheme. I am happy to say, however, that as a result of repeated deputations I have been informed that provided these other areas are taken over by a Federal grant then we could expect some State help in providing water schemes such as I require in my electorate, which I consider to be equally as beneficial to production as some of the areas that have been included in the Commonwealth scheme.

It is a marvellous thing that C. Y. O'Connor, who put this scheme in from Fremantle to the goldfields to relieve the troubles in the goldfields, did not realise that he was making primary industry possible in arid parts of this State. I am very pleased to note now that in a newspaper article of the 13th August, 1964, the last paragraph reads—

By December this year Gnowan-gerup is to be connected to the scheme, the Narrogin-Wickepin main completed, and Wickepin reticulated.

I would like to add it is a well-known fact that promises were made to me in November, 1962, that the Quairading water supply would follow the Wickepin supply and will start next January and, it is hoped, be completed by next December.

Mr. Tonkin: Who made the promise?

Mr. GAYFER: All members—

Mr. Tonkin: Go on, tell us the whole story.

Mr. GAYFER: The Deputy Leader of the Opposition must surely know that when promises are made they come from a reliable source; and in this case it was from the Under-Secretary for Works (Mr. J. O'Connell).

Mr. Tonkin: I thought it might have been from one Minister.

Mr. GAYFER: I would like to conclude my remarks on water by saying that considerable interest has been shown in the possibility of an extension to Yealering, Yealering and a town called Bullaring in the Avon electorate are just outside the comprehensive water scheme and both are in a low level high table salt area, as is Greenhills. Greenhills has been battling for water since 1834; and I hope—I repeat this hope—that the State Government will

see some way to bring relief to these towns, even though it does have to match this money on a pound for pound basis, and it has to be repaid. It will be an unfortunate thing if this loan is not accepted, but I know that negotiations will continue to obtain it under the best possible conditions so that we may use it.

I notice that members of Parliament have been invited to the opening by the Premier (Mr. Brand) on the 14th September of the new £3,250,000 wheat terminal at Fremantle. This terminal is quite an achievement as it has been built by the farmers. Other than a Government guarantee—that is not the supply of money; we still have to find the money—this terminal has been built entirely from toll contributions by wheat farmers. There are now new silos at Geraldton of 2.2 million, Albany, 3.8 million, and improvements at Bunbury. I forgive the member for Bunbury for having omitted the silos at the port in the speech he made last night, which give us one million bushels of upright storage and silos at Bunbury. I should like to compliment the Railways Department on its contribution to the system. We could never take the grain out to the deep-water jetty by conveyors, and the Railways Department is now designing special railway trucks. This means that instead of our having to line the old ones with bits of hessian to stop the wheat pouring through the holes, the Railways Department is now designing special tiplers which will tip the wheat into storage bins under the jetty and from there it will be elevated into the ships.

This magnificent structure at Fremantle is something that we farmers in Western Australia—and also the Government—can be proud of. After all, the Government has helped by guarantee. This structure rates as one of the industrial achievements of the century in this State. With the magnificent buildings that C.B.H. is erecting throughout the country—and it is spending £1,000,000 annually in erecting these buildings at various centres—there are definite signs of progress. In co-operation with others we are demonstrating our belief in the future of this great State.

The new Fremantle structure will have an outloading rate of 1,600 tons per hour. I feel sure that when the first boat pulls up alongside wharf No. 9 and they open the gun and pour 1,600 tons per hour into the holds, the member for Fremantle will have to watch out that there is not a tidal wave. I think the seamen's union will be cutting up rough because the men will not have enough time to stretch their sea legs in Fremantle.

We are very proud of our achievement, and that we have been able to work in with the railways and that the railways have been able to work in with us. The end tipler is designed to handle the 92-ton wagons that the Railways Department is

going to put on for the haulage of wheat from broad gauge railway areas to the silos and ships. Incidentally, we have great faith in the advantages of the broad gauge railway line.

We feel that this will have distinct repercussions and happy repercussions in the farming areas. There will be certain teething problems that will have to be overcome. We know that negotiations are going on at present for certain compensation to be decided upon between the Railways Department and C.B.H. We hope that all these difficulties will have a happy ending.

The member for Mt. Marshall asked a question of the Minister for Industrial Development on the 12th August. He asked whether the new super works that will be built at Kwinana will encroach on co-operative bulk handling land. Some members have been under the impression that when C.B.H. applied for permission to build its huge wheat installation at Kwinana—and was told by a joint committee that it would be better if the works were built at the Fremantle port—the co-operative was told that land would be set aside if it wanted to build in the future, and that the co-operative would not have to go to Scarborough or somewhere equally silly.

This is a great State and there is no end in sight to our wheat production; so I was rather surprised when the Minister for Industrial Development replied to the question asked by the member for Mt. Marshall. I should imagine, however, that the Minister had no control over this matter. The question asked by the member for Mt. Marshall was as follows:—

Concerning his reply to my question on today's notice paper, am I to understand that no land will be made available to Co-operative Bulk Handling Limited in the Kwinana area, or is the matter still under consideration?

The Minister replied as follows:—

When obtaining the answer to the question asked by the honourable member, I was unable to find that any land had been specifically earmarked for C.B.H. I found that when the area was being planned, some general areas were referred to as being possible sites for various purposes. Included in those areas was a site for C.B.H. To the best of my knowledge there has been no change in the intentions of those people who are planning and allocating these areas. However, I will make some further inquiries for the honourable member.

I am pleased that the Minister is going to make these inquiries and give us the assurance that I know will be forthcoming; and I am also pleased to see that conferences will be held to see exactly how much land C.B.H. will require in the future. At present we have built upright storage at Fremantle for 4,000,000 bushels. It might

be fair to say here that the area available is capable of having upright storage for 28,000,000 bushels. There is a feeling, however, that it is not always best to have all vertical but to have some horizontal type storage such as exists at Geelong. This might possibly be uneconomical and inadvisable at the ports, and that is why in the future we may need to spread our wings. Agreements also have a lot to do with the fact that we may want to spread our wings elsewhere in the future.

Whilst on the subject of the farming industry and its importance to Australia in general and to Western Australia in particular, certain wheat figures have interested me. When concessions are given directly to farmers or wheatgrowers the effect that such concessions have on the income of the Railways Department in Western Australia is indeed interesting. I noticed that the Railways Department's income for super and wheat alone for 1947-48 was £444,084. In 1962-63 the income from wheat and super that the Railways Department received in doing a magnificent job of getting the wheat to the ports and out of the State, was £5,404,311; or an increase in 14 years of some £5,000,000. Even if there had not been an increase in rail freight charges, the increase in income would have amounted to £3,500,000.

I know that it is recognised by the Government that there will be greater progress in this field of agriculture. We have only scratched the surface. We will need more help. We need to have help given when flood problems arise, and there should be greater research into the agricultural industry. Possibly, we will need heavier taxes to bring these things into being; and here I must sympathise with the Treasurer. We implore the Government, during all stages of negotiations with its benefactors—that might be the wrong word—in the Australian Capital Territory, to do its best to improve the lot of the farmer. He has helped himself, and the Government has helped him; but in view of rising costs, and the stability of his prices, he needs even greater help, together with the country shire councils.

I have two personal cases that I would like to bring forward at this stage. The first concerns a fire that was allegedly caused by sparks from a train travelling between Dangin and Qualtrading. The farmer concerned at Dangin wrote to the W.A.G.R. and made a claim. He received a reply from the Secretary for Railways dated the 18th March, 1964, which reads as follows:—

Following receipt of your claim dated 16th January, 1964, in connection with damage caused to your property by the abovenoted fire, the matter was placed in the hands of this department's insurers.



2. Investigations made regarding this incident reveal that the fire started outside the railway reserve and that spark arresting appliances on the locomotive in the vicinity at the approximate time of the fire was in good order. In addition adequate firebreaks were provided on the railway reserve at the point of origin of the fire.

3. In the circumstances, while the Commissioner sympathises with you in your loss he regrets that he cannot agree to accepting liability in this case.

Mr. H. May: That comes under the Midland Railway, does it not?

Mr. GAYFER: I immediately took the matter up with several of the people who are responsible for fighting fires in that area and I could read seven scrips which I have with me dealing with the subject. There is one from the shire clerk, who is the deputy fire control officer; there is one from a local J.P.; and there are several others, including one from the fire control officer for the Quairading Shire Council, and one from a man who chased the train to tell the crew that they had lit a fire as the train went by, and that the fire had undoubtedly been caused by the train.

Having these written testimonials in my hand I again took the matter up with Mr. Court, and the answer I received had obviously come from the State Government Insurance Office, which is the insurer for the Railways Department. The letter, dated the 25th May, from Mr. Court to me, reads as follows:—

I have now had a chance to discuss with the Commissioner of Railways the representations you made to the Acting Minister for Railways, Mr. Craig, on behalf of Mr. Strickland in respect of a fire which occurred on the property of Mr. Strickland on the 15th January, 1964.

Following receipt of your representations Mr. Strickland's claim for damages was referred to the General Manager of the State Government Insurance Office for review. He advises that the statement now submitted in no way alters the position.

The material facts are—

- (1) The fire commenced outside the railway reserve.
- (2) The spark arrester was in good order when examined before and after the trip; and,
- (3) An adequate firebreak was provided on the railway reserve and the side widths had been burnt off.

The General Manager, State Government Insurance Office further states that in the circumstances he

does not consider the Railways liable for the damage to Mr. Strickland's property and he is unable to accept any liability under the Public Liability Policy.

I understand Mr. Strickland has been notified accordingly.

From the nature of the papers you handed to the Acting Minister I presume you would like them back for your records. They are now attached.

Kind regards.

I was not completely satisfied with that letter.

Mr. Moir: You did not get very far with him.

Mr. GAYFER: I then decided to take the matter up with Mr. Wild, who is Minister for Labour and also the Minister controlling the State Government Insurance Office; and eventually, on the 17th July, I received a reply to my representations. I say, "eventually" because every time an investigation has to be carried out into a particular matter it takes considerable time and I realise that. But, of course, the grass is growing greener all the time and the traces of the fire are gradually being obliterated. The reply I received from the Minister for Labour reads as follows:—

I am returning the papers left with me last month in connection with a claim for fire insurance by Mr. Strickland, as a result of which you asked me to go into the matter as far as the State Government Insurance Office are concerned.

I have had a discussion with the General Manager who is unable to alter his previous decision. However, I feel that as the Railway Department are the responsible Authority, with the State Government Insurance as the insurer for that Authority, then further pressure, if desired, must be put on the Railway Department. I am therefore returning the correspondence and suggest that you had better further address yourself to the Minister for Railways.

Mr. Moir: He passed the buck.

Mr. GAYFER: My worthy constituent was getting a little annoyed by this time; and the stage has been reached where I think he could be advised to take legal action, and it seems to me he has a case. There seem to be many witnesses; but it appears, from what we are told, that if a spark should leave a locomotive it has to fall within a certain distance between the locomotive and the firebreak; otherwise there can be no claim. If there is a howling gale blowing when the train is proceeding from one town to another, and all other machines are off the road, and no tractors are working, and the train is passing through somebody's paddock and

a spark is blown on to the farmer's property and causes a fire, it is not the responsibility of the Railways Department or of the State Government Insurance Office: it is the fault of the farmer concerned.

I have one other request to make of the Minister for Railways, and as I never like to do things the easy way I bring it up now. The Minister has always been good enough to send me information about the closure of rail services and country bus services which, in theory, are not paying propositions and have to be closed down. Recently the Minister advised me that the Yealering bus run to Narrogin on a Friday would be discontinued. At the time I sympathised with the Minister about the fact that it was necessary to close this run; because, as he may remember, the bus travelled up from Brookton to Corrigin along the closed railway line.

However, at the time I was not aware that in the town of Yealering there are 13 old age pensioners. And as Narrogin is 80 miles away, and there is no doctor or dentist at Yealering, even though it is quite a large town, I make a personal appeal to the Minister to reinstate the bus service, even if it runs only once a month, so that these pensioners can get dental treatment or whatever they may require in Narrogin. I make this appeal because the trains do not arrive in time for these people to do anything within shopping hours.

I thank you, Mr. Speaker, for having listened to me for so long and I congratulate you again. I hope to hear you later giving a discourse on your trip abroad. I thank the Government for what it has done for the electorate of Avon in the past two years, and I hope it will continue to do the same for the many years that I hope to represent that electorate.

**MR. SEWELL (Geraldton) [3.29 p.m.]:** The Speech made by the Governor in opening Parliament was, as is usual, prepared by the Government. On generalities it was quite all right, but it did not tell us very much at all. In that regard, of course, I refer particularly to the interests of the district of Geraldton and, if the Premier will allow me to say so, the electorate of Greenough, which he has the honour to represent. That area is also served by the port of Geraldton.

**Mr. Brand:** I am always glad of some help.

**Mr. SEWELL:** I do not want anybody to make any mistakes in this regard; but I would say the Premier is honoured, or should be pleased to represent a district such as Greenough.

**Mr. Brand:** I am.

**Mr. SEWELL:** Apparently the Greenough people are pleased to have him as their representative as I hope the people

of Geraldton are pleased to have me, and will continue to be pleased to have me. I would like to say, in passing, that the Greenough area is second to none so far as wheat production is concerned, and it has the added advantage of the distinct possibility of oil and gas being found. So the Premier is doubly lucky.

In His Excellency's Speech there is mention of the construction of the first part of the Muja power station near Collie. I was one of those who believed over the years that we would eventually have that power station in the northern areas. I did feel, however, that had there been a change of Government it would have eventuated much quicker. I do not know whether there is a possibility of gas being found—perhaps the Premier could tell us at a later stage—but so far as that farming area is concerned it is certainly most anxious to be provided with power. At present Geraldton is quite well served by the power station owned by the ratepayers of Geraldton.

Another matter mentioned by His Excellency is the extension of the comprehensive water scheme. I have, over the years, expressed the opinion here that not sufficient attention has been given by the Federal Government to the supplying of money to the State Government by loan, or by way of subsidy, for the extension of our water schemes. Since His Excellency mentioned this fact, we understand that the Commonwealth Government has granted an additional loan to the State Government to complete the scheme within a certain period; and it is pleasing to see it will be finished before the first proposed date of completion. The amount is some £5,000,000.

Under the old bore system in the Wicherina area we know it is necessary to go to Allanooka. My complaint is that whatever the intentions of the Government and the department concerned are in this matter, action might have been taken to expedite the provision of a water supply from Allanooka to Geraldton. As we know, Wicherina has shallow bores; and last year, after the excessive rains, the water from the overflow from the reservoir—and this happens very rarely—was pumped back into the old bores which had become saline; and from the reports of the departmental engineers we find that has been very successful. But we know that the water must still come from Allanooka. So I would urge the Government to make every effort to see that the new scheme that comes through Walkaway on the back flats of Greenough, and into Nungala, serves the abattoirs in that area and the residents there who have been asking for water for a long time.

I would go from there to the north-western corner, which is the garden area which grows tomatoes for export. Every year it has been brought home to us more and more clearly that we can place ourselves in the position of having too many

of our eggs in the one basket. Over a period the tomato growers have had a very rough time because of low prices, and, last year, because of the floods.

This year, however, things have improved somewhat so far as the prices are concerned; and the other night I had pleasure in witnessing a TV programme which showed a shipment of Geraldton tomatoes being loaded at Fremantle—not at Geraldton but at Fremantle—for the Singapore market. There was a fear felt some years ago that the hot-house system in South Australia and Victoria would eventually ruin the Geraldton tomato-growing industry. But with the opening up of the markets in Singapore and Kuala Lumpur, and with other areas to the north of us, there is the distinct possibility of the garden area in the Geraldton district continuing to grow. But it must have water and power. Up to date all agitation for water in the Nungala, Glenfell, and Moon-yoonooka areas has fallen on deaf ears.

We do know, however, that the S.E.C. has taken a step forward and is establishing a centre from which to work from the Geraldton boundary. We also know that power is going to be extended from Geraldton to Northampton, after which of course it will go south again to serve the proposed abattoir at Nandeele. That is all to the good. But we are not satisfied yet by a long way.

I know the Premier is fully conversant with the situation of the people in that area, particularly as it relates to the wealth they produce, and the greater wealth they could produce if they were provided with adequate water supply and sufficient power. They could make an even greater contribution to Geraldton and the district.

Whether the comprehensive scheme itself ever goes as far as Geraldton remains to be seen. We will also have to wait and see whether or not our water from Allanooka will go the other way. The comprehensive scheme may not be embraced in the northern scheme, but I think there will be sufficient water in the plain country, from the Strawberry Basin, to supply Geraldton and its market gardens; and perhaps also to supply Dongara, Mullewa, and Morawa.

Coastal shipping around Geraldton, and shipping to those areas to the north of us—namely, Malaysia and Singapore—seems to be very unsatisfactory. That is how it would appear from the information I have at this stage. I am not making any accusations, but it would seem that there is a cartel operating, which works to the disadvantage of Geraldton and its producers.

No doubt most honourable members saw the TV programme I mentioned a few moments ago which showed that Geraldton tomatoes were being shipped from Fremantle. Nearly every day of the week, during the season, members can see refrigerated trucks bringing crayfish tails

from Geraldton to Fremantle to be transported to America and other countries. We know that sheep are brought in from the Midlands and the northern farming districts, and from the Gascoyne and Murchison, all of which are being shipped from Fremantle.

We have often heard the Minister for Industrial Development talk about decentralisation. We know the ballyhoo that goes on in that direction. Here is an opportunity for the Government to see that something is done to decentralise this matter to the northern areas. It should see that suitable shipping space is available for refrigerated cargo calling at Geraldton to pick up consignments of tomatoes, crayfish and, perhaps a little later, meatpicks. The Government should make sure that all the livestock transported from that area of Western Australia leaves from Geraldton. That is very important. Each one of these is not a big factor in itself—not like the loading of wheat and super boats—but in the overall it would mean many thousands of pounds to the business people and to the workers of Geraldton.

I would like to dwell for a moment on the position in which we find ourselves in connection with the employment of private architects to design public buildings. In Geraldton we have been fortunate in the past in having the Public Works Department and the chief of the Architectural Division responsible for buildings worthy not only of Geraldton and the State, but also of the Commonwealth. However, in the last year or so, there have been erected buildings which, far from being architectural gems, are in my opinion monstrosities. One example of this is the new police station, which cost many thousands of pounds. I have been inside the private quarters; and the rooms are too small, and the whole building is completely out of balance with the other part of the town and could not look less like the public buildings next to it. It could be likened to, say, a little garage, compared with Parliament House.

People in Geraldton are really annoyed to think that the Government would allow such a building to be erected in the centre of the town alongside the present public buildings. Actually the workmanship and material in the building is all right, but the general design and layout leave much to be desired.

The same can be said of the additions at the high school. Several thousand pounds have been spent, and rightly so, on new classrooms and a science building. I understand the contractor is behind in the contract but that does not concern us here. What does concern us is the appearance of the new structures. Everyone who has seen the high school will agree that it is a really nice design. Visitors particularly are always impressed by it. Over the years additions have been

kept in line with the original idea of the architect, who I understand was Mr. Clare, the then Chief Architect. He is a man who must be commended for his splendid work. The same cannot be said for the adjoining building which is just being completed. It has certainly nothing in common whatever with the design of the older part. Although I say older part, it has only been up a few years.

Much has been said about decentralisation and I believe it is past time the Government and perhaps all of us should have given more attention to this matter. The other night the member for Albany advocated the establishment of another State. I want to say here and now that I do not agree with that idea at all. We do not want any more States. We certainly require larger towns but I would not like to see Perth grow any larger. If we are to achieve these larger towns in the country areas we must decentralise.

I now come to gold and mining generally. It would seem to me that the Government has been very lax in its duties in not agitating more and more with the Commonwealth Government and those people vitally concerned—the goldmine owners themselves and the workers on the fields—to see that some increase is made in the price of gold. If this is internationally impossible some local relief should be afforded, for instance in taxation and those other ways which could make costs lower in the industry.

I think the State Government would be well advised—particularly with the gold-mining industry, because most of us know what value the goldmining industry was to this State and still is—to realise this industry could again be a great force in the economy not only of this State, but of the Commonwealth.

The same would apply to a much lesser degree to the mining of lead and copper. We have the base metals. We hear a lot about iron ore—perhaps too much—but these other metals are forgotten. In an area such as Geraldton, but particularly Northampton, which is one of the oldest mining fields in Western Australia, if not the oldest, there must be a lot of ore still that could be obtained, thus giving employment and general uplift in the prosperity of the district and of the State generally. Therefore I would appeal to the Government to do something to assist the mining industry generally but, in particular, the goldmining industry.

Mr. Burt: You should not be hearing too much about iron ore.

*Sitting suspended from 3.45 to 4.4 p.m.*

Mr. SEWELL: I now wish to touch on the subject of workers' compensation in this State. Attempts have been made to amend the Act to bring it into line with what my party considers, and what I consider, to be the prosperity of the country,

and to show a little bit of decency and Christian spirit. First of all I wish to refer to the covering of workers going to and from their work. We know this obtains in some of the Eastern States, if not all of them, but workers in this State cannot be covered from the time they leave home until they reach their place of employment, nor can they be covered on their return journey at lunch time and in the evening. We are told by the Minister for Railways that the time is not opportune, and that the country and industry cannot afford it, and so on. I say that in respect of a simple humane question like this we cannot afford not to do it in the very near future.

The same thing applies on the death of a worker. I understand the present amount payable is £3,000, plus some basic wage adjustment, making in all £3,240; and for a permanent disability it is £2,750. We find that in New South Wales £4,000 is paid on death; and in Queensland, where there is a Country Party Government, the amount is £4,000, too.

It would seem that with the continual drumming we get about the prosperity of this country—and we know it is a fact: but whether it is as prosperous as the Government tries to make out remains to be seen—a little more could be spared to a worker's family when the worker has been killed as a result of industry, or where his earning capacity has been somewhat destroyed. I think the Government should pay some attention to the matter of completely overhauling the Act and bringing it into line with the legislation in the Eastern States.

At various times we have this thrown up at us: They have not got this in the Eastern States; they have something else. That is what we were told last year when we had trouble in connection with the present Industrial Commission and the arbitration court was done away with. The Government said that we had something and another State had something else, therefore we had to bring ourselves into line with the others, in order to be moderate. I say to the Government: Let it be moderate in these circumstances and let it see that the families of workers who are killed or injured in industry are properly compensated.

The member for Avon was quite interesting—seeing that he is a successful farmer and is a member of the large organisation that he mentioned—on the subject of the mechanisation that will be put into operation for the loading of wheat boats. I have a question that I would like to ask, but it would be of no use asking the member for Avon, because it is not within his province. It is: What plans have the Government made in respect of the mechanisation of Geraldton? We know this is happening all around us, and even in the port of Geraldton. Unfortunately that port is down this year in

its wheat export figures because of the bad season last year. The turnaround of boats at Geraldton, however, is terrific. They hardly seem to be in the port before they are loaded and out again. Has the Government any plans to deal with the workers that this machinery will eventually displace? I think some attention should be given to that point; and if the Government has anything in mind, I would like to hear it.

We know that over the years the matter I am about to mention has been a menace to the Minister for Industrial Development; but I would like to know from him why, when a committee had been set up by the Hawke Government to deal with local products, he has continually thrown cold water on it, and has completely bypassed, ignored and snubbed it; because we have heard nothing from that committee since the Brand-Watts Government. as it was originally, came into office.

I was able to give the department a little bit of assistance; and it would seem to me that even if the facts and the propaganda that the department had were not availed of to the fullest extent, it was definitely on the right track. Why did the Minister for Industrial Development drop the whole business and take it upon himself to be the chief advertiser and chief advertisement, as it were, of the products of this State? If we do not go out after markets and advertise ourselves in some way or other, as the Deputy Premier told the gathering in Albany a while ago, we are not going to get anywhere.

These are a few comments I would like to bring to the attention of the Government, mainly dealing with water supplies, power, and the harbour at Geraldton, which members have heard about. Perhaps some may know more about Geraldton than others. It would seem to me at this stage that with the advent of new machinery being installed there, progress is being made, even though it appears to be slow; and the Premier, or the Minister for Works, in answer to a question said that tenders will be called to get rid of the rock bar or continental shelf which has been so much a worry and trouble in the past.

Last year I mentioned that the plant and equipment given to the engineers and the men to work with at Geraldton was far from adequate. If I remember, I said that the dredge should have been given to the sea scouts to play with or to practise on, and that still applies. The dredging facilities provided for the engineers and men are far less than they should be. On the other hand I wish to say that some things, as I have mentioned over the years, have come to pass and are now established facts in Geraldton. I would like to add that the people in Geraldton, generally,

are grateful. First of all there is a hostel for girls which is under the control of the high schools hostel authority. That is a fine building, and it appears to be doing a very satisfactory job. Girls from country places and from overseas have suitable accommodation there and are under supervision. Those girls attend the Geraldton High School.

The regional hospital is well on its way; and I must congratulate the Geraldton Building Company on the show it is making in connection with that building. It would seem to me, as an outsider looking in, that the company is making good progress.

It appears that after years of agitation for the things one desires most, one eventually, even though it may take years, gets them; and that is the case with the regional hospital. The present Government has brought it to fruition, but previous Governments, both Labor and coalition, had a hand in the matters in years gone by.

Generally I would say that the area represented by the Premier, the Minister for Education, and myself could be where there will be a turning point in our history if what we anticipate comes to pass. I refer in the first instance, of course, to the prospects of finding payable oil and gas. Oil could be found in quantity; and the member for Pilbara could also be included because the Monte Bello Islands and Barrow Island would come, if not within his province, then within his area.

We know that gas has been found as far south as Eneabba; and we were hopeful when he heard of the find at Yardarino, but the bore does not appear as promising as it did at first. But we, as laymen, know nothing about conditions applying to boring for oil and gas; we leave it to those people who do know.

I would like to pay a tribute to the Wapet company and its associates for the excellent work they have done over a number of years in the area I have referred to. If the gas, as it was first found in the Yardarino well, proves to be successful and can be used commercially, we could say to the Minister for Electricity Supplies, "Thank you very much, but we do not need your Muja power station now." That may not suit the member for Collie, but we would be in the happy position of being able to supply our own power. The lack of power is one of the factors that has handicapped the Geraldton and surrounding district in past years. With the advent of the export of iron ore from Geraldton, and with the prospect of the establishment of factories and organisations that are prepared to install plant and machinery to upgrade the iron ore which we know exists in the surrounding area, the growth and importance of the Geraldton district and the northern district generally could be increased.

Prior to the tea suspension an interjection was made by a member on the Government side of the House in regard to iron ore which I did not quite hear. I would like to point out that the export of iron ore for the time being would become a No. 1 priority. However, as I have said previously, we must not lose sight of the fact that the more one takes away from base metals the less value they have, and therefore, over the years, the principal factor that will lead to the prosperity of this State lies in food production, and it is in this field that our district will surpass any other in Western Australia.

Production of iron ore will help to stabilise the town of Geraldton and the nearby districts until we reach the stage we are anxious to reach. When we get the abattoirs going, and obtain the water supplies and electricity supplies that we want—and that the Premier wants—we will really be going places.

Before concluding my speech I take this opportunity of expressing my thanks—despite the fact that one hears various things about Parliament House at times—to every member of the staff in this House, and to you, Sir, for the courtesy that has been shown to myself and the visitors I have brought to this building, and the efficient manner with which the members of the staff carry out their duties.

Mr. H. May: What about the Joint House Committee?

**MR. GRAYDEN** (South Perth) [4.33 p.m.]: In the Governor's Speech reference was made to building activity in this State. There is one aspect of this I wish to touch upon, because it could have great bearing on the type of building that is erected in South Perth in the future. It concerns a proposal recently put to the South Perth City Council by the Town Planning Commissioner (Mr. J. E. Lloyd). There are 10 aspects of this proposal which I consider to be contrary to the public interest, and I therefore propose to deal with the question in detail in the hope that this will have a salutary effect on comparable proposals considered in the future by various departmental officers or local authorities.

Early this year the Town Planning Commissioner arranged with the Town Clerk of the South Perth City Council to discuss with the council the proposals to which I am now referring. It was also arranged that this meeting would be held in committee, and on the 26th May, the Town Planning Commissioner visited South Perth and attended a meeting of the council and addressed the members in a closed session from which the members of the Press and the public were excluded. The proposal which the Town Planning Commissioner put to the council related to a permit for one, A. I. McClelland of Claremont to build a 15-storey block of flats in the heart of the

residential section of South Perth, and on the high ground which overlooks the links of the Royal Perth Golf Club, in an area where all other ratepayers are restricted to a building height of three storeys.

By way of background, I would point out that this matter had its origin in the selling, by Dr. Anthony, of a block of land at 16 Hensman Street, South Perth. This land was on the crest of that high ground overlooking the golf links, and the new owner, Mr. McClelland, applied to the local authority for a permit to build a block of 3-storey flats on that site. At that time, in the area concerned, South Perth had an existing block ratio of one, which allowed the construction of a fairly large block of flats. The surrounding residents felt that the flats contemplated were entirely out of keeping with the surrounding homes; and therefore they did everything possible to induce the owner not to proceed with the project. When their efforts in that direction failed they took up a petition which was signed by 178—or something of that order—of the surrounding residents. Then they went further and took a deputation to the South Perth City Council, and later another deputation was taken to the Minister for Local Government (The Hon. L. A. Logan).

I was present at both deputations and, in each case, every possible method was canvassed to prevent the erection of these three-storey flats. I might mention that the residents of South Perth surrounding this particular block were not opposed to the building of flats on the site, but opposed to the large dormitory-type block of flats which was contemplated. Eventually, all the efforts of the residents failed and Mr. McClelland was granted a permit to build a block of three-storey flats. I have set out the background to emphasise that the South Perth City Council knew full well the opposition of the residents of that area to the erection of flats of any kind, much less the erection of a block of 15-storey flats. I want to emphasise also that the Minister also knew full well the opposition of the residents of South Perth to the erection of this block of three-storey flats, because they had taken a deputation to him.

Mr. Graham: The people who decided on that site would prefer a three-storey block of flats.

Mr. GRAYDEN: Yes, so they say. I ask the member for Balcatta to listen to my story first and then he can make some comments if he so desires.

Mr. Oldfield: Kevin Deane chased him out of East Perth.

Mr. GRAYDEN: All this happened about 12 months ago. Recently, Mr. McClelland went to the Town Planning Commissioner, or to the Minister. If he

went to the Town Planning Commissioner first it must have been suggested that he should go to the Minister. At all events, he eventually approached the Minister, who asked the Town Planning Commissioner to investigate the matter. The Town Planning Commissioner subsequently attended the meeting at South Perth and put this proposal to the South Perth City Council. So here we have a proposal that was actually put by the Town Planning Commissioner to the South Perth City Council and, in those circumstances, it would carry a great deal of weight with the council.

If the Town Planning Commissioner, with all the work he is required to do, was prepared to spend considerable time in preparing a case and submitting it at length to the South Perth City Council, it would, I repeat, carry a great deal of weight with that council. At the meeting which took place it was known that the South Perth City Council did not have the power to grant a permit for the erection of a 15-storey block of flats because of the building by-laws in the area. So the Town Planning Commissioner made it clear to the South Perth City Council that this matter could be overcome by Mr. McClelland handing back to the South Perth City Council the permit which he held to erect a three-storey block of flats. Following this the council would have to give an assurance that at a later stage it would grant a permit for the erection of a 15-storey block of flats. After Mr. McClelland had handed his existing permit to the council it would at first refuse the new permit. Mr. McClelland could then appeal to the Minister for Local Government, and if that appeal were upheld he would return to the South Perth City Council and it would grant a permit for the erection of a 15-storey block of flats.

So there you have the Town Planning Commissioner suggesting to the South Perth City Council that the problem could be solved by this backdoor method, which method I will outline very shortly. Fortunately, the South Perth City Council did not arrive at a decision that particular night. One member of the council suggested that a petition be taken up among the residents of the area surrounding the proposed flats and the council agreed to that request.

What I have said is broadly the situation surrounding the proposal, but there are 10 aspects of it which I believe are inimical to the public interest, and therefore I want to deal with them one by one. The first aspect is the secrecy which shrouded the execution of the plans to which I have referred, and the measures taken to prevent ratepayers learning of what was proposed. As I have mentioned, the Town Planning Commissioner (Mr. J. E. Lloyd),

arranged with the South Perth City Council that this proposal would be discussed in committee from which the members of the public and the Press were excluded. At that meeting the councillors were warned that they were not to discuss any aspect of the proposal that had been put before them, following which, in open council, the motion on the petition to which I have referred was passed without debate. In *The West Australian* of the 3rd June, 1964, a brief reference was made to this. Actually, I think it appeared in the South Suburban section of that newspaper, which section appears once a week. The relevant reference was as follows:—

The main point of his visit—  
they were here referring to the Town Planning Commissioner—

was to speak to the proposed multi-storey flats for lot 58, Hensman Street, South Perth, and the No. 2 town planning scheme.

That is the sole reference. That mentions, of course, lot 58, Hensman Street; but this particular lot, on which the flats were to be erected is known as No. 16 Hensman Street, so those residents who were concerned had no idea from that news item that this particular block was under discussion. The councillors had been warned that they could not say anything to anyone about the proposal, so the members of the public had no chance of learning from any official source of what was taking place.

Mr. Jamieson: Under the provisions of the Act, they should have brought the whole matter before an open council meeting.

Mr. GRAYDEN: I am pleased to hear the honourable member say that, because I will refer to that angle at a later stage. Here we have a proposition to build 15-storey flats in the heart of a residential area, and the matter is discussed, but the residents know nothing about it. When the South Perth City Council decided that a petition be taken up it said to the flat applicant, "You or your agent should take up the petition." The ratepayers and the residents in the surrounding houses were virtually sitting ducks for the agent, who went around subsequently. I shall deal with that in more detail shortly.

The second aspect of this matter which I consider to be inimical to the public interest is the proposal itself. This involved the building of 15-storey flats in the heart of a residential area overlooking the golf links, in a district where all other buildings were limited to three-storeys. I suggest this to the Town Planner, the Minister for Local Government, or anybody else: The building of this type of flat in the heart of Floreat Park, Peppermint Grove, Dalkeith, Nedlands, or any other residential district, would not be permitted if

in those districts there existed a limitation of buildings to three storeys. Permission would not be granted under any circumstances for the building of 15-storey flats; yet the town planner put forward that proposition to the South Perth City Council.

Mr. Crommelin: Is there a height restriction applying in the South Perth City Council area?

Mr. GRAYDEN: Yes. The limit is three storeys in the area concerned. That was why the council could not grant a permit for the building of 15-storey flats, except by the method I have described. The case had to be submitted to the Minister for Local Government by way of appeal.

Do members realise what the building of 15-storey flats would mean? If they were to look at South Perth from King's Park they would see a great single tower of flats—not one tower of nine or 10 storeys as are Hillside Gardens and Sunnymede near Parliament House, but a block of 15 storeys.

This proposition is contrary to all accepted town-planning principles, and such a tower would be completely out of harmony with the homes in this section of South Perth.

The third aspect of this proposition which I consider to be contrary to the public interest is the preferential treatment envisaged for Mr. McClelland. Ratepayers who have resided in South Perth all their lives are precluded from erecting buildings which exceed three storeys. If this person obtains his permit to build by the means I have described, the occupants of his flats will henceforth have an unrivalled view of Melville Waters, Perth Waters, and the surrounding area. He would not be faced with the prospect of other people building multi-storey flats opposite his. The views from his flats would not be blocked, because he, and he alone, would get that preferential treatment and be permitted to build multi-storey flats. I ask members to reflect on the gravity of that situation.

The fourth aspect of this proposition which is contrary to the public interest is the manner in which confidential information appertaining to these flats was disclosed to the flat applicant, while the ratepayers in the area were left uninformed and as sitting ducks for the petition which was to be presented to them by the flat applicant, or his agent. The flat applicant was put in the picture as to the means by which the permit was to be granted; but that information was denied the ratepayers. They had no inkling of what was proposed for the area in which they resided.

The fifth aspect which is regarded as being inimical to the public interest was the failure by the city council, and the town planner, who was present at the council meeting, to have any regard for the wording of the petition which was to

be subsequently taken up, or for the way in which it was to be presented; and the apparent willingness on the part of the South Perth City Council and the town planner to allow this flat applicant to have an open go.

When the agent of Mr. McClelland took the petition around, all sorts of complaints were received subsequently. One woman complained that when the agent came around he spoke to her for 10 minutes, but did not say whether he was for or against multi-storey flats. He had pictures pinned across the wording of the petition. At the end of 10 minutes this woman had to ask what was the purpose of the petition.

Other people also wrote in to the city council saying that they had put their names on the petition thinking they were opposing the 15-storey flats; and they asked for their names to be crossed off the petition. One of the South Perth City councillors (Mrs. Chester) made some comments about this matter, and they appeared in the South Suburban supplement of *The West Australian* of the 29th July. They are as follows:—

#### Petition "Salesmanship"

##### False Pretences, Says Councillor

Signatures for a South Perth petition were being obtained under false pretences, Cr. Gwen Chester told the South Perth City Council.

The petition was being taken around to obtain ratepayers' opinion on the proposed Hensman-street multi-storey flat project.

When asked to sign it, ratepayers were being told that the petition was from the Council. This was incorrect.

It was a matter of salesmanship. If the person making the house-to-house canvass was a good salesman, he obtained the ratepayer's signature.

I quoted that report to illustrate that there was subsequent criticism from even the councillors.

When the ratepayers in the vicinity of the contemplated project found this petition was circulating in the area, and realised what it was all about, they began to take up a petition of their own. Subsequently they discontinued doing that, because Mr. McClelland announced he was going on with his original intention of building 3-storey flats. He told that to some of the people concerned, and for that reason the second petition was discontinued.

The organisers of the second petition called on nearly all the homes surrounding the site in question and obtained 100 signatures. Over 90 per cent. of the people who had been approached were diametrically opposed to the 15-storey flats, and they signed that petition.



Some time prior to the second petition, Mr. McClelland advised the South Perth City Council about his own petition. In that connection I quote from *The West Australian* of the 29th July—

In his letter Mr. McClelland said the opinion of all ratepayers living within quarter of a mile of the flat site had not been obtained because of bad weather.

Signatures already obtained showed that 125 favoured multi-storey flats, 13 were opposed to them, 37 were opposed to all flats, 20 were not interested, and 110 calls had been made without the owners having been seen.

When the figures mentioned in the report were submitted by Mr. McClelland to the South Perth City Council, they were not accompanied by the petition, so the council only had Mr. McClelland's word for it. But when the second petition was taken up by the ratepayers, it soon found out that the first one must have been completely fictitious, or that it contained the signatures of people living outside the stipulated quarter-mile radius, because over 90 per cent. of the people living around the site of the proposed flats had signed the petition, and were opposed to the erection of 15-storey flats.

The sixth aspect of this proposal which I believe to be inimical to the public interest is the indifference of the South Perth City Council and the town planner to the adverse effect of multi-storey flats on ratepayers within a wide radius of that site. When multi-storey flats are built in the middle of a residential area it results immediately in residents living within a quarter of a mile or so losing their privacy.

In Western Australia the people favour outdoor living. Just imagine the occupants of a home, within a quarter of a mile of the block of flats, holding a barbecue or an outdoor party at night! Those people would be under the surveillance of everyone in the 15-storey flats. If a woman in one of those houses were to walk out of her back door to put out the washing, or to take the baby out for a sunbath, she would be under the surveillance of everyone in those flats. Apart from the lack of privacy, the building of this block of flats would obstruct the sunlight and cast long shadows.

Whilst tall blocks of flats sometimes appear very attractive from the front, very frequently they are hideous from the rear; and people in houses at the rear are often confronted with a tangled mass of steel fire escapes, sewerage pipes, gas pipes, and other paraphernalia which are required by the flats. One only has to walk up to the second floor of Parliament House and look across the city to see the hideous view which many buildings present. There one is able to see rusty rooftops, sheer brick walls, steel fire escapes, and the other things which I have mentioned.

Had the 15-storey flats been erected in the South Perth residential area a similar view would have confronted the residents to the rear of those flats, and instead of seeing blue skies and sunshine when they walked into their backyards they would see a great block of concrete and probably the various types of pipes and fire escapes I have referred to. People dislike living in the lee of these great buildings, and they dislike it for many reasons. There are many parts of South Perth already where the sunlight does not penetrate because of the large flats which have been erected. These tall buildings cast long shadows over the surrounding area.

The buildings which we consider to have marred the view near Parliament House are of nine or 10 storeys; but the one I am referring to at South Perth was to be 15 storeys high, and for that reason it would be even more incongruous. When a building of that kind is erected in a residential area, then as far as the Taxation Department is concerned there usually follows a rise in land valuation.

Rates and things of that kind go up; and in addition—it happens almost invariably—the people have the greatest difficulty in quitting their homes if they are in the vicinity of tall buildings, unless their blocks are suitable for multi-storey construction. People do not want to live under the lee of these tall buildings. Had this project gone through it would have ruined the residential area on the high ground overlooking the golf course.

My seventh point refers to the fact that a town planning scheme covering the area about which I am speaking—this is one of the most serious aspects of the whole business—will shortly be submitted for the approval of South Perth ratepayers. In these circumstances, this proposal, if agreed to, could be completely at variance with what is eventually approved under the scheme. This is an extremely serious thing. For two years or so the South Perth City Council has been working on a town planning scheme for this particular area; and yet, before its release, the town planner put forward the proposition for the construction of these 15-storey flats, even though this could have been completely at variance with the town planning scheme. In other words, it would undoubtedly set the pattern of town planning of that area and would bypass the normal safeguards available for the protection of residents when town planning is contemplated.

Mr. Toms: You are making some pretty serious statements in regard to the town planner.

Mr. GRAYDEN: Every aspect of this can be more than justified. I regard it as an extremely serious matter. As I have said, had these flats been erected, it would have set a precedent.

The eighth point I want to make is this: This proposal is contrary to the public interest in that there is a complete lack of any valid reason or justification for it. The change from 3-storey to 15-storey flats would mean that the views of one resident only would be less affected. There is not the slightest shred of justification for saying that if 3-storey flats were to be erected it would mean dozens of people would lose their views. Only one person (Dr. Watson) would have his view affected. I think the member for Balcatta referred earlier to two neighbours. The other man is Mr. Doig. He lives on the lower side. His home has been up for sale for a long time. Those are the two people to whom he referred, but the view of only one man would have been affected.

Mr. Graham: These two people would have a 30 ft. high wall immediately along their boundary fences.

Mr. GRAYDEN: Had this block been sold for the construction of a home and a home built on it, it would have affected Dr. Watson's view to exactly the same extent as a much larger building would have.

After I protested about this matter, the town planner had the following to say in the Press:—

The new proposal for a multi-storey block with the same floor space, had been suggested by the developer as more desirable because a tower-like structure would not restrict views to the same extent as a sprawling, three-storey building.

That is his reason for proceeding with the project. The town planner had gone to the trouble of preparing this case and putting it to the South Perth Council and having the South Perth Council take the matter up in order that the view of one man would be slightly less affected!

Let us see what Dr. Watson's justification was. He made a comment in *The West Australian* as follows:—

My reasons are that the tower-flat would not deny to neighbouring homes views, light or air, and I believe would not depress values in the immediate locality.

He mentioned views; but, as I have stressed, the only view that would have been affected was his own. Let us see what the South Perth City Council has to say in justification of this proposal. The town clerk, in a statement to the Press, said—

In May this year the council had been told consideration might be given to lifting height control on the Hensman Street site to enable open space, unobstructed air and light to be retained in the neighbourhood.

Those are the reasons given for this project. One can see at a glance there is not the slightest justification for the proposition to build these flats.

The indifference to existing by-laws and the arrangement by which existing by-laws were to be circumvented is the ninth reason why this proposal is contrary to the public interest. As the council has no power to grant a permit to build 15-storey flats because of existing by-laws, it would have been required to refuse the permit. Mr McClelland would then appeal to the Minister for Local Government who, having initiated the approach to the South Perth City Council, would thus undoubtedly be obliged to uphold the appeal. That speaks for itself and there is no need for me to comment on it.

The last and tenth point is the fact that a private businessman could, in the circumstances, obtain such a measure of assistance from the Town Planning Department. I do not blame the Minister. He asked for the advice of the town planner and the town planner took it from there.

A lot of local authorities have given consideration to these tower flats. For instance, the Kalamunda council considered the matter not long ago. I have a cutting from *The West Australian* of the 12th August headed, "Tall Flats On Range Considered." The article goes on to say—

The Kalamunda Shire Council does not want multi-storey flats built on the settled areas of the Darling Range escarpment or in areas where they will affect existing homes.

The council has instructed its town planning committee to define areas in the district where flats may be built.

This was decided at a meeting with Town Planning Department officers to discuss town planning matters affecting the district.

Department officer D. J. Collins suggested that the council give a clear definition of what it required for flats and submit this to the department for its views.

Recently we formed an advisory council in Perth, and the editorials in both the *Daily News* and *The West Australian* referred to it. One paragraph of the editorial in the *Daily News* read as follows:—

The new move is obviously designed to prevent any architectural monstrosities overshadowing designs of good taste in the parliamentary hub of the State.

Another comment in respect of the announcement about this committee in *The West Australian* was as follows:—

The proposed advisory committee which will help the Metropolitan Region Planning Authority to gauge the aesthetics of new buildings planned near Parliament House, will not start with any specific rules.

However, the authority expects the committee to set down progressively design standards for the area. This could include the maximum heights of some buildings.

The map shows the proposed area subject to design control.

The committee will consider such matters as elevation, design and colour, external facings, building outline and roof forms.

I have other cuttings here showing that a lot of people are perturbed about the type of multi-storey flats being erected near Parliament House. Notwithstanding the concern that has been expressed in respect of these multi-storey flats, and that, at this very time, a committee is being set up to deal with flats of this kind, the town planner has gone to the South Perth City Council and suggested that this great 15-storey structure should be built, knowing full well that shortly a town planning scheme will be coming out for that area, and that these flats could be entirely at variance with it.

When the town planner proposed that a permit for the building of these flats should be issued in this way, he denied to the people of South Perth the usual safeguards associated with zone proposals. Under the Town Planning Act certain regulations were formulated, and they appeared in the *Government Gazette* of the 6th August, 1963. They make provision for the safeguard to which I have referred when town planning schemes are put forward by local authorities.

I am not going to read these, but I would like to read the headings in order to place on record for the benefit of ratepayers what protection they have under these regulations. The first is, "Resolution to Prepare or Adopt a Scheme"; and they continue, "Approval and Notice of Resolution"; "Scheme in Respect of Crown Land"; "Scheme by Order of Minister"; "Preparation of Scheme"; "Scheme Proposals Map"; "Scheme Report"; "Adoption of Scheme by Local Authority"; "Preliminary Approval by Minister"; "Advertisement of Scheme"; "Objections to Scheme"; "Consideration of Objections"; "Approval of Scheme by Minister"; "Modification of Scheme as Required by Minister"; "Advertisement of Approved Scheme"; "Deposit of Statutory Scheme"; "Amending Scheme"; "Compensation", and "Scheme Interpretation".

Under the heading of "Objections to Scheme", paragraph 16 reads as follows:—

(1) A person desirous of objecting to the Scheme may do so by giving to the responsible authority notice in writing signed by him of his objection or objections to the Scheme which notice shall be in or to the effect of Form No. 4 in Appendix "E" to these regulations.

(2) The person making an objection to the Scheme shall state in his notice of objection whether he makes his objection as the owner or occupier of

property within the area of the responsible authority, or as the representative of a body corporate, or in some other capacity.

Once a town planning scheme has been advertised, there is ample provision in these regulations for residents to object and for the objections to be considered at several stages up to ministerial level; and then for modifications to be made.

Under the proposition which was proposed by the town planner, the electors of South Perth were to be denied these safeguards. The proposal was put up at a council meeting in a closed session. Everything was confidential and the ratepayers were not told what was going on. A permit would have been granted for the flats and the residents would have had no means of objecting. This is what has been happening while No. 2 town planning scheme is in the offing!

There is another serious aspect to this business. The town planner himself once opposed the building of tower flats in this area. He opposed it 12 months ago, but apparently he has now changed his view very drastically. The other day the member for Balcatta had tabled certain papers relating to this matter. Among them I was surprised to see a letter over the name of J. E. Lloyd, the Town Planning Commissioner. It was a carbon copy of a letter addressed to the Town Clerk, City of South Perth. It would appear that the letter was written by Mr. Lloyd, but, of course, it could have been written by somebody else on his behalf. It is dated the 23rd July, 1963, and refers to the building of flats in this particular area. It reads as follows:—

Dear Sir,

Flat Development:

The Hon. Minister has directed that I communicate his views regarding further flat development in the area of South Perth not covered by Town Planning Scheme No. 1.

Consideration has been given to both the overall problem and the more limited problem of the Hensman Street area. It seems that the current rush of applications is related both to the demand for flats close to the city and the attractive return possible on the plot ratio applicable at present. Demand is difficult to measure, but statistics show that, notwithstanding the apparent increase in popularity, the ratio of flats to houses has increased only slightly in the last ten years. Extensive flat zoning in areas fully developed for single family dwellings which are in good condition, can lead to a number of problems; whilst some flat development will take place in the early stages and therefore tend to inflate land values the demand for the land is limited and therefore owners

who find that they cannot economically maintain their properties find that they cannot sell.

Zoning should therefore be related to demand, condition of an area and the zoning, and conversion of a district to higher density should be gradual. Pending completion of a Planning Scheme for the balance of the district, serious consideration should be given to a reduction in plot ratio so as to temporarily limit the attractiveness of flat development. This could also tend to encourage development in the area covered by Scheme No. 1.

The Hensman Street area is covered by the same general remarks. A very high standard of building prevails, and the intrusion of flat development must have an adverse effect on the surrounding family home. From the owner's viewpoint, the effect of a number of multi-storey buildings could be quite unacceptable, and although the suggestion of one only at this stage has some merit, approval must commit the surrounding area to similar development.

As the desirability of this has not been established, I feel that the three-storey block, although not without problems, would have the least detrimental effect on the area as a whole.

Although the South Perth City Council was at that stage interested in multi-storey development of flats in Hensman Street, Mr. Lloyd in his letter suggested that the Council should actually alter its existing plot ratio in order to make it even more difficult to build flats. The council subsequently did this. Incidentally, the 3-storey flat permit which was granted to Mr. McClelland was obtained before the plot ratio was altered. Thus, although there was a tightening of flat building by-laws on the one hand, on the other Mr. McClelland was to be given this extraordinary measure of preferential treatment.

In his letter the Town Planning Commissioner suggested that the council should curtail all flat development until the No. 2 town planning scheme had been put into effect. He said that a year ago. The town planning scheme has been under consideration ever since. It will be ready shortly; and despite that, the Town Planning Commissioner has gone ahead in the way that I have mentioned. He also made it clear in his letter that multi-storey flats would have an adverse effect on surrounding homes in the area. If his proposal had been accepted by the council on the night that he put it we would now have a 15-storey block of flats under construction at South Perth, and residents would have had no opportunity of registering any objections and of having those objections heard.

If the town planning scheme provides for only 3-storey flats, as it well may, in the middle of that residential area, there would have been this great 15-storey tower.

I should have liked to go into this matter in more detail, but I have been asked to finish my speech earlier than I had hoped. I would like to say, however, that because of this experience, I shall in future have no option but to regard as suspect every new building or zoning by-law, or town planning proposition that is contemplated for my electorate. Rather than these things should be accepted simply because they have been recommended by the Town Planning Department or any other authority, it is obvious that every proposal should be examined most carefully. I am certainly going to do this in future and I recommend ratepayers everywhere to do likewise.

**MR. JAMIESON (Beeloo) [5.8 p.m.]**: I should like to add my contribution to the debate. Many matters are apt to be discussed on these occasions. The Address-in-Reply debate is, in effect, the safety valve of democracy. The member for South Perth has aired some of the grievances of his electors, and on this occasion I congratulate him. Usually, when he speaks to the Address-in-Reply, the Opposition enjoys his speech so much that members have to move for an extension of time or they have constantly to interject. On this occasion the Opposition wholeheartedly agrees with the proposals that the honourable member has placed before the House.

**Mr. Brand**: It indicates the impartial attitude of the Opposition!

**Mr. JAMIESON**: It indicates that the honourable member is going in the right direction. He might be over here eventually. The member for Claremont referred, the other evening, to the House Committee. He asked why the committee did not do certain things. I do not wish to add to the arguments put forward about the House Committee—I was not present in the Chamber when the debate occurred—but there are a few things that members should know. Despite the comment of the Premier the other evening that he had not heard the situation required statutory authority, the late Mr. George Roberts first moved, some time ago, that there should be some clarification and statutory authority; but because the renovations to Parliament House were being proceeded with, we thought it better to delay the matter until the position was clearer.

I am speaking now as a member of the House Committee. Surely it is time that we had some authority and knew where we were going! The Lands Department now has the only power to regulate what activity shall take place on any "A"-class reserve which has not been

specifically allocated. The committee would not be in favour of the Lands Department moving in in respect of the Parliament House reserve. Yet nobody has the power to make regulations to govern the activities that shall take place on this reserve. In other words, unless there is a provision in the Police Act or the Criminal Code, there is no regulation which can be invoked to stop somebody loitering about the premises. I think that is wrong. We should be in the same position as other statutory bodies. We should be able to make our own regulations and have them published in the *Government Gazette* so that we can protect the reserve and Parliament House itself. They could be along the lines that, after certain hours, trespassers would be liable to prosecution.

Mr. Brand: What is the position with other Parliament Houses? Have they any regulations such as that?

Mr. JAMIESON: In South Australia a special Act covers the position. I am not sure of what happens in other States; but I do know that in South Australia that is the position. As a matter of fact, it is rather humorous, because although there is a special Act in South Australia there is nothing to control except Parliament House itself. Of course, there is no doubt about the authority of the House Committee within the building itself. I have never heard it suggested that we could not make any regulations or laws to cover activities within the building; but as regards the outside section, if somebody knew the legal position he could make it very difficult for the House Committee on occasions by demanding his rights. He could, if he wished, ask the committee what authority it had to make regulations covering activities around Parliament House itself.

As regards other Parliament Houses, in Victoria and New South Wales, for instance, the grounds are fully enclosed, and they are not open to the public as they are here, and therefore would not be subject to the same kind of abuses as our own grounds could be. I do not say that there have been many abuses; but I still think we should be in the position where we can take precautions and be like other statutory bodies, such as the local authorities, which can make rules governing their parks and gardens and take action to prevent any possibility of damage being caused.

It is only within recent days that pot plants were removed from the entrance to the controller's flat. If we had a regulation to cover loiterers we could erect notices advising people that unless they had the necessary permission they could not be on the premises outside certain hours.

Mr. Graham: Is it a fact that if the member for Claremont were drinking beer in the car park neither the police nor the Joint House Committee would have any authority to stop him?

Mr. JAMIESON: I think it would be a doubtful legal point; but under the Police Act a person can be prosecuted for drinking on an "A"-class reserve. However, instead of having to do things in a round-about way I think it would be better if the House Committee could get legal coverage of the position. Under the present set-up, if the House Committee tried to do anything there could be a legal wrangle as to whether it had the authority; and if the police were brought into it I think they would be inclined to consider it an internal matter and might not want to get involved.

I would now like to discuss another matter that I always raise in this House; and I am glad the Premier is present on this occasion. I refer to members' privileges. Last year, while the Premier was in London, I wrote to the Acting Premier regarding the possibility of granting members the right to visit remote areas within this State once every Parliament, or on some similar basis, so that they would be able to get to know their own State as much as they can get to know Sydney, Melbourne, and other places at the moment. I shall repeat again, for the Premier's edification, a statement I made before: It is almost impossible for a private member to see Kununurra. If he wants to go there he has to travel by the State Shipping Service as far as Wyndham, and then he has to hire a vehicle, under normal circumstances, to get out to Kununurra and make the necessary arrangements for his return.

He should not have to do that. There should be some provision whereby members can travel to remote areas in the State by recognised services and at given periods. I do not think members should be able to go tripping up there every few minutes; but I think that if they were permitted to travel to places like that perhaps once a Parliament, it would be a good idea and would be of benefit to the State. In South Australia the Premier has just recently granted another concession to South Australian members. Incidentally, the members of the Parliament of South Australia, unless New South Wales members have received an increase, are now the highest-paid State members of Parliament.

Mr. Brand: When did they move?

Mr. JAMIESON: The Premier of South Australia realises that certain amenities should be provided, and the latest one is to allow members there to visit Tasmania once a year—that is, members and their wives. They can travel by boat or by air from Victoria; and, of course, once they get to Tasmania they are able to use their

gold pass on the railways. But the matter of getting there is the problem; and unless one has the wherewithal financially to pay one's fares it makes it difficult for most members.

Visits such as that, to other States and to remote areas, are of advantage to the members themselves and also to the State as a whole, because they can report on what they consider worth while; and, if it is considered necessary, the matter can be investigated further. No doubt when the Premier and the Minister for Industrial Development went to various overseas countries they did not travel simply as tourists; they went there for the purpose of stealing ideas, plagiarizing them. Other countries probably have more knowledge than we have in regard to certain matters, and if a country can progress by copying the achievements of others it should do so.

No doubt many other countries were able to make improvements by copying some of the achievements in this State with the extension of our water supplies, particularly the goldfields water supply which, in the early days, was considered to be an engineering feat. No doubt many other countries have been able to progress in the matter of getting water to outback areas through observing what had been done in Western Australia in that regard.

That is an example of what goes on and the knowledge that is gained from other places and other people, and I think it is high time we had a close look at the position. I know Premiers, whether they be Labor or Liberal, are inclined to say, "Let it go until after the next election and then the new Government will have a look at it." But a new Government is elected every three years; and it is like tomorrow: it never comes.

As regards the provision of amenities for members I think the public would be hard-pressed to take exception to the one I have suggested. I am sure members themselves would not take undue advantage of it. I do not suggest that the Premier should immediately allow wives to take trips to remote areas, or anything like that. But I think the Government should allow a member, if he wants to inform himself on a situation that exists within the State, to travel to that place to investigate it.

It is wrong that we should be able to travel to a place like Cairns by train—and what a tiring journey it is!—but if we want to visit a place like Christmas Creek; Turkey Creek; or the dozens of other creeks to which we hear reference made in this House; or to Kununurra, or any other places like that, which are of interest and importance to the State, we are not allowed to do so unless we travel at our own expense. I think it is high

time some concession was made to members in that regard. Also I consider members who represent those outback districts should be granted unlimited travel to and from their electorates.

If the member for Pilbara started going to Marble Bar just for the weekend we would soon have him certified, because one does not visit places such as that for fun. One generally visits such a place to carry out some job of work and get away from it as soon as possible. Despite the fact that air travel is very rapid, it can also become very tedious; and one does not try to overdo things in regard to air trips. One has only to ask any Commonwealth member of Parliament what is the most objectionable feature of his association with Canberra and the answer would be that it is the constant air travel from Canberra to his electorate. When one travels by air week after week it becomes a real grind, and it is not something one would abuse.

Whether they avail themselves of it or not, my colleague from the Kimberleys, the member for Murchison, and the member for Boulder-Eyre should, in this day and age, when there is an air service available, be able to use it to advantage to visit their electorates. They are the people's representatives for the respective districts, and they should be able to travel to those parts as quickly as possible and as often as they desire.

The old mode of travel to the north-west by the State Shipping Service reminds me of the answer I got when I wrote to the Acting Premier on the subject. He replied that Cabinet did not consider that any further assistance should be given towards granting passes to members to visit remote areas, because in the last five years there were only six members who had visited the north-west, including myself, who had made use of this concession. It is all very well travelling to Wyndham and return by ship when one can spend a nice leisurely month on the trip, but it is not very often that one can spare that time. We may be able to spare a week or a fortnight away from our duties, but a month is a fairly long time when we have to attend to the responsibilities that are shouldered upon us.

In this day and age we, as members of Parliament, should be given every opportunity to look around our State. Western Australia is a very large State; and, as the representatives of the various electorates, we are justified in having a look around the State to see the progress it is making in various districts.

It sometimes happens that one meets a Commonwealth member of Parliament from the Eastern States travelling to or from Kununurra because he thinks there is something up there to see; and when he says to one, as a State member of Parliament, "That is a mighty big show

you have up in Kununurra", one feels rather a clot when one has to reply, "I suppose it is. I have seen photographs of it and it appears to be a very fine project." In my opinion, such a situation should never occur.

I would now like to deal with a little bit of arbitration, seeing we had some rather hectic moments in the House last year on the Bill to amend the Industrial Arbitration Act. It is probably one of those sleeping dogs that would be best left to lie. However, it has not been left to lie, and I wish to draw the attention of the Government to certain matters concerning it. We know, from the admission made by Commissioner Kelly, that the Bill which was proposed—I think the Minister gave some indication of this, too, at the time—was drawn up by Commissioner Kelly himself, and he did some extensive touring to gain knowledge of the subject.

However, after it was drawn up he found he had omitted certain things. He became a little concerned and he brought out this little brochure entitled, "A Brief Guide to the Principles of the 1963 Amending Act". On reading through it, I came across an obvious breach of the Act, and when I tried to get in touch with Mr. Schnaars, and I was referred to Mr. Kelly, he said, "You had better talk to me, anyway, because I wrote it." So there is no doubt as to who wrote this brochure. I now draw the attention of the House to one definition in the Act which reads as follows:—

"Commission in Court Session" means the Commission constituted by not less than three Commissioners sitting or acting together."

What do we find in Commissioner Kelly's little booklet on guidance? We find this—

#### Powers and Jurisdiction of Commission in Court Session

The Commission may in relation to any dispute or other matter before it refer such dispute or other matter to the Commission in Court Session. (Section 71 (r)). Three Commissioners will always constitute the Commission in Court Session.

Who is making the laws of this land? Are the laws being made by Parliament or is Mr. Kelly making them? I would like to know. Before he does something such as this surely he should make every effort to check his facts.

In the first instance, in regard to the present position, or when there was some big measures involved, if I were a commissioner I would feel very put out if I were not included. One of the principal omissions was that he failed to alter the section providing for a majority decision which had applied under the old Industrial Arbitration Act. The section providing for four Commissioners on the bench could cause a deadlock. The Commonwealth legislation provides that when

such a situation occurs the opinion of the President shall prevail; but that is not provided in our legislation.

To obviate this omission, Commissioner Kelly wrote a certain section into the Act of his own volition, and so far he has got away with it. The fact that he has implied the Act means something other than the Parliament of this State stated it should deserves the severest censure by Parliament. He said, "It will always constitute three Commissioners." That is not correct. It shall not constitute any less than three. Of course, when three commissioners are on the bench one can see what will happen; because if one becomes sick there are no longer three commissioners on the bench, and the case that is being heard is held up. If there were four commissioners on the bench the case could continue should one commissioner fall sick. My colleague, the member for Victoria Park, pointed out what happened last week; but that could happen on any number of occasions.

Mr. Brand: What is the position in the Commonwealth court?

Mr. JAMIESON: Of course, that court always sits with a greater number of commissioners and the court can carry on if one commissioner is missing. In this State the Act provides that the court must consist of at least three commissioners. That is a very good move, because the number should be specified.

Getting on to other aspects, I want to refer to the eulogies of one, Benjamin Chifley, that were made the other evening by the member for Claremont. I took the trouble to look up some of Mr. Chifley's speeches, because we are all very prone to forget too quickly what people have said during the course of their lives. The member for Claremont, during his speech, pointed out what a fine man Mr. Chifley was and all the rest of it. If the member for Claremont read a few extracts from the speeches by J. B. Chifley in a book entitled, *Things Worth Fighting For* he might not be so sure.

Mr. Chifley made constant references to what he thought of "tame-cat" unions, and the running away from principles and ideas just because of the whispered suggestion of communist activities. I am not going to quote all of the extracts I have marked from Mr. Chifley's speeches because it would take up too much time. I just want to say that if the member for Claremont had heard the late Ben Chifley making these speeches out in the car park adjoining this building, the honourable member would have wanted to arrest him for sedition or some similar crime. Yet that is the man whom the member for Claremont eulogised.

The former President of the United States, Mr. Truman, recently clearly stated how a statesman stood in the world. He said that he had not seen a live statesman yet. When someone referred to him

as a statesman, he said, "No, I am a politician; statesmen are all dead people." That is quite true. If any man has any ability, whilst he is leader of a party, his opponents are doing their damndest to get rid of him. It is only when such a man dies that he reaches the status of a statesman. It is a saintly sort of order which a man reaches when he enters the hereafter. Anybody who thinks he is going to be called a statesman before he gets to the hereafter is merely fooling himself.

I would say that Ben Chifley had those sentiments. Because it is a matter of interest, I would like to refer to the last paragraph of the last recorded speech he made publicly. He was thanking the delegates of an executive that he had been addressing, and he said finally—

I can only hope that the sincerity which you have shown over the years in victory and defeat won't be lost; that you will be inspired by the same things which inspired the pioneers of this movement, and that you will not be frightened and made to get over to the "right" because of the whispered word "Communist". I could not be called a "young radical" but if I think a thing is worth fighting for, no matter what the penalty is, I will fight for the right, and truth and justice will always prevail.

If the member for Claremont bears that in mind he may be a little more sympathetic towards trade union leaders, and he may not indicate that they are just so much rabble, leading men out of work, and committing similar acts of irresponsibility.

Let us now turn to what the honourable member said the other night. He seemed to forget what he said, and it is possible that he did so because of the number of interjections. He will recall what I said during the course of his speech: that "we will have a look at what you said." We are now going to have a look at what the honourable member did say. I refer to the matter of the staff being intimidated—at least this is what the member for Claremont said. He said they were intimidated and made to leave their posts.

As I understand the position, Miss Shelley, secretary of the union, had a meeting here in the morning, and it was decided that the action to be taken should be in accord with the rest of the union; that they should not be at work after midday. Anyway, what was suggested at the meeting was carried out. It was not as the member for Claremont would have us believe in connection with the barman. He went to the controller and said, "I am a barman, not one of the other staff. When they go out I will go out." That is what he said on that day. Incidentally, even today he is not a member of the union. There was no doubt in his mind as to the position.

It was, however, drawn to the attention of the Labor members, and the section was shown to us, that all barmen in unlicensed premises are members of the Hotels, Clubs, and Caterers' Union to which the other members of the staff belonged. So had he been a trade union member he would have been associated with the walk-out, and would have gone out. But he erroneously believed that his particular calling was covered only by the other union, which left us in the position of kicking the other staff in the back if we had not supported them.

It is interesting to know, however, what other members of Parliament did. People whom we rarely see in the bar just flocked into it. One would have thought that free beer was being served; and from the statements of some of the members who had visited the bar it is possible they indulged too much.

Mr. Court: They tell me that the sales of pineapple juice were quadrupled.

Mr. JAMIESON: There were many members in the bar. It was felt, however, that our loyalties lay with the other members of the staff and not with the one particular member. The whole matter was forgotten, and I would have left it where it rested had it not been raised by the member for Claremont. In his speech the member for Claremont said—

But I do object to the fact that when the steward who is in the bar, and who has served us all, was called out on strike, and would not go, members of the Labor Party in this House declared the bar black. They went out to the car park and the liquor was brought up in bottles from the hotels.

For whom was it brought up? What is the imputation there? The honourable member said, "They went out into the car park and liquor was brought up in bottles from the hotels." There is nothing further from the truth. I have checked the matter with the controller and the Speaker, and I find there was no large incidence of drinking. Had there been a great deal of drinking it would have been necessary to clean up the empty bottles and cans.

The member for Victoria Park was with me when we returned from a walk in King's Park during the tea suspension. We saw one of the policeman shoot out. If there is one thing that the police know they have authority over it is drinking on a public reserve. As a matter of fact, they caught two young fellows for drinking in a public place. The whole area was crawling with policemen at the time, and it would have been very difficult for anybody to get away with bottles being brought up from the hotels.

Not only are we told that bottles were brought up from the hotels, but the member for Claremont said, "There was tons of it brought up. Does any member



opposite deny that liquor was consumed in the car park on that occasion? Can anybody deny it?" Had that been the case, we would have been falling over bottles in our endeavours to get into our cars. I was out in the car park quite often, and I can honestly say that I did not see anything like this. There may have been some drinking, but there were not tons of bottles being consumed; and if there was any member here who was a party to that sort of thing he ought to be ashamed of himself.

There was, however, a lot of intimidation going on at that time, and all of it was not from this side of the House. We had the instance one day of the galleries being packed with a number of ladies; they were shown into the public galleries. The member for Claremont took some umbrage at a remark to the effect that he lived in an ivory tower. Of course, people who live in glass houses must expect a certain number of stones to be thrown.

I would like to draw attention to one incident that took place. The situation was a bit thick, and things were getting a trifle hot in the gallery—the gallery was on fire. The Minister for Works will recall that the hands of the men in the gallery were only about two inches away from his collar, and had they grasped him we would have known that he had been caught. But this was all in the heat of the moment, and we all had to be careful because things could have flared up.

There was a lady sitting in the public gallery. The person associated with her asked her to have afternoon tea and she left her bag on the seat to reserve her place. The other people had jammed in. They were not moving because to do so would have cost them their position; and while she was on her way downstairs, I happened to be coming up to see one of the fellows in the gallery. I could not help but hear the conversation between this lady and the constable. She said to the constable, "The men should not be smoking in the Chamber, should they?" He replied, "No, they should not." The lady then said, "There are some men smoking." So in his endeavours to do the right thing the constable whizzed these fellows out. The other person concerned, who was well known to the multitude there, was able to reserve her seat and return to it.

Mr. Fletcher: Was this during the tea suspension?

Mr. JAMIESON: Later on there appeared a write-up about the same lady in the newspaper. She has a very conservative outlook and her interests are centred around her husband, a member of the Legislative Assembly, and around her garden. She went on with all the old-world conservatism that we have been used to. People who live in glass houses should not throw stones.

When people make accusations of tons of beer being brought in, and are required to make a withdrawal of their remarks and imputations about barrel loads of beer they should realise there have to be a few barrels to make up tons of beer. Perhaps I used the word wrongly, and so did not get the withdrawal I was seeking. I think I made it clear there was no beer consumed by the ton as referred to. That was a reflection on the people there. In view of the occasion and the heat which was engendered in the debate, I feel sure they were reasonably well tempered.

There are many things we learn by experience. We do know that when the legislation was being dealt with at this end of Parliament House no notices were posted to guide the visitors; but by the time it got to the other end the President took cognisance of what had happened, and caused notices to be posted around the House indicating to the people what could and could not be done. Of course that sort of thing has to be attended to on occasions such as the one I have mentioned.

I would like to say a few words about local government. I have been somewhat concerned about the attitude of various local authorities and the secret methods they are using. The member for South Perth has made reference to this matter, and it seems to be developing into a commonplace practice. I am afraid that, unless the Act is amended, things will be in a sorry state. The secret methods I am referring to is the practice of local authorities to go into committee when certain matters are being deliberated.

The Act provides that meetings of local authorities shall be held with open doors; but the model by-laws which nearly all the local authorities have adopted provide that the business of a council shall be conducted with open doors, except upon such occasion as the council may decide by resolution. That gives a local authority complete coverage when it deals with matters in committee; but a further section of the Act provides that all decisions arrived at behind closed doors must also be confirmed at a meeting held with open doors, before they can be regarded as the official decisions of the council.

I suppose many of us are familiar with a person who termed himself a professional objector, a Mr. Klenk, of Spearwood. He may not be the easiest person to get along with, but he has his rights. He wrote a letter, which was published in a newspaper, outlining the numerous occasions when he was excluded from the deliberations of a shire council, because they were dealt with in committee. That was done for the purpose of excluding this person.

That is not the intention of the Act. It is necessary to have a provision in the Act to enable an administrative body to go

into committee when dealing with certain affairs. Complaints against the secretary or a member of the staff might be lodged with the local authority when it was undesirable for the Press or the public to be present during the deliberations; but the matters being referred to in those circumstances, and in the case of the Cockburn Shire Council which affected the community at large, should have been dealt with with open doors.

There was an incident which took place in the Belmont Shire Council, of a somewhat similar character. One night I was invited to attend one of its meetings, but when I arrived I saw eight or nine other people, who were interested in the matters to be dealt with that night, standing outside on the footpath. I asked them what was going on, and they told me that they were not allowed in the meeting room. That being the position I would not go in, because the model by-laws provide that the mayor or president shall order everyone, other than the employees and members of the council, to leave the room. The councillors remained, as did the representative of *The West Australian* who sat at the top of the table.

Mr. Crommelin: Were they in committee?

Mr. JAMIESON: They were not actually, because a different procedure is used. In effect it meant those councillors went into committee, thereby excluding the ratepayers; but the Press was allowed to remain. I was indignant, and I referred the council to the section of the Act which I mentioned earlier, and ultimately we were allowed in.

The people who attended that meeting complained to the Minister for Local Government about their exclusion. He wrote to the shire council castigating it for not upholding its by-laws. But then the council again went into committee to consider the letter from the Minister, so neither the Press nor the ratepayers know anything more about that matter. This is a ridiculous state of affairs. A similar occurrence took place on several occasions when letters from the Minister for Local Government were received.

That particular provision of the Act was never intended to cover the omissions of local authorities; it was designed as a means to deal with matters privately. When local authorities go into huddles behind closed doors the people become suspicious.

In this Parliament the doors are never closed during sittings, except on odd occasions when the gallery is cleared, as happened during the debate on the Industrial Commission legislation last session, although there was a sporting section of the public present at all times in the Speaker's Gallery. I realise Parliament is the law-making body of this State and it is a little different from an administrative body, such as Cabinet where it is not ex-

pected that Labor members will be able to sit in on proceedings.

Local authorities which consist of elected members of the ratepayers should never hold their deliberations in committee, with the specific object of concealing their deliberations. That is not a fair or proper method. The deliberations should be conducted above board.

Mr. Crommelin: You could not have an open council meeting to discuss, for instance, a proposed town planning scheme; otherwise people attending would know that certain blocks were being zoned as factory sites.

Mr. JAMIESON: One of the features which worries me is the number of real estate agents who are now members of local authorities. What the honourable member says may be perfectly true; but in the case of some councillors it could be a great advantage for them to be elected. I do not blame them for taking that advantage; but a sorry state of affairs is reached if local authorities have to go into seclusion on deliberations to protect a proposed town planning scheme. There is some reason for the provision to hold deliberations in committee, but this procedure should not be used to hide their decisions.

One of the matters which concerns me is the number of complaints about the Bush Fires Board and its operations in the metropolitan area. I was somewhat remiss for not saying something about this matter when the relevant Bill was before the House. The Bush Fires Board should concentrate on activities outside the metropolitan area. Perhaps it has a reason to go to the inner edge of the metropolitan area, but it should never have the authority it has had over the whole of the metropolitan area.

We have instances now where the rates on a block are probably about £6 per year. It is a quarter-acre block with green shrubs growing on it, which are not a fire hazard. However, somebody draws the attention of the Bush Fires Board to the block, and without further notice the board moves in with a bulldozer, gets rid of the shrub, and sends the poor unfortunate landowner a bill for £25. That is not something which happens on a single occasion. It has happened on numerous occasions. As a result, the board has had no end of complaints. I do not blame the people for complaining.

Last year a notice was sent out with the rate notices stating that if vacant blocks were not made safe the Bush Fires Board would do the work and charge the owner. A person has enough to worry about in wondering from where he will get the money to pay the rates, without having to worry about the other notices that go out in connection with the fruit-fly menace, how to eradicate house flies, and a dozen other pamphlets that are sent out

about the same time. There is no further warning; the Bush Fires Board goes straight in and does whatever it thinks fit to clean the whole place up.

When we extend the powers of some of these authorities, they know no bounds, and it is high time we had another look at the bush fires provisions. The metropolitan fire district should be under the control of the Fire Brigade. Let the Fire Brigade handle the matter as it did in the past; because it was quite efficient. I doubt very much whether a fire that has started in the metropolitan area has ever gone outwards. Usually it is well up in the hills before there is any particular damage; and I think additional powers, if necessary, should be granted to the Metropolitan Fire Brigade and the Bush Fires Board taken out altogether. That board should be concentrating on and dealing with the bush fire menace, about which its members know plenty.

There are several matters to which I would like to refer before I come to the final part of my remarks. I asked a question recently in connection with trainee enginemmen. It was rather appalling to me to find out that despite the fact we had an intake of only 113 enginemmen last year, there was a wastage of 90. With other normal wastage it would mean that the number employed in that profession in the railways had gone down and that there will not be enough to maintain requirements if that performance is repeated for a few more years.

When I asked the Minister if any action had been taken to prevent such wastage in future, he said—

As the working of shifts and during weekends and on public holidays is weak to this type of railway employment there is little that can be done to overcome the problem. Rates of pay and conditions for these employees are in the main similar to those applying to their counterparts in Eastern States rail systems.

That is not good enough, and some way must be found to overcome it. I do not know the answer; but in the Eastern States, of course, there is a large number of people in distant cities who are prepared to be transferred to other cities and locations; and that is not the position in this State. However, some inducement must be given to these young fellows to stay in the railways, because in a few years' time we are going to be in the position, if this appalling wastage is maintained, of not having enough personnel to look after the railways, which are so vital.

I now come to a problem which I aired last year in this House in connection with the activities of Richard Cleaver, M.P., during the Federal election. Finally, after so

many abuses of regulation 43 (2), he was apprehended by the issue of a summons, which read something like this, "On the 21st November, 1963, at East Victoria Park, without authority, distributed printed matter, to wit, electoral pamphlets, on a vehicle operated by the Metropolitan (Perth) Passenger Transport Trust, contrary to regulation 43 (2) of the regulations made under the Metropolitan (Perth) Transport Trust Act."

This went on, and several teenage girls were approached by the inspector that took charge of this case when he finally got a line on to Mr. Cleaver for the abuse of the regulation. There were about 50 commuters on this bus who left Bentley every morning, but he interviewed two teenage girls in order to get evidence. He did nothing about it at any of the bus stops; and he could have picked up at least 50 witnesses, because the breach was so flagrant. However, he concentrated on the two teenage girls who reported to their mothers that Mr. Cleaver was on the bus. When they got a summons they were appalled; and in one case the father took exception to it, saying there were plenty of others who could have given evidence on this sort of thing, without calling his daughter in. That was a fact; and, to say the least, the inspector of the transport trust handled the whole business clumsily. There should have been an abundance of evidence. There were plenty of people who knew definitely he was on the bus.

The girl's father requested me to write to the Minister for Transport in respect of his objection and the Minister wrote back and told me he considered the case might have to be dropped if the girl was not prepared to give evidence. I heard no more about it, but strangely enough Mr. Cleaver became very active. We saw him around Parliament House a considerable number of times. I would not suggest that the Minister for Transport was responsible for any change of heart, but on the eve of the actual case this telegram was sent to this particular witness—

Police Court case against Richard Cleaver adjourned indefinitely Stop Will advise if your presence required at later date. Crown Prosecutor.

Is the law going to be upheld? Are the regulations of the Metropolitan Transport Trust going to be upheld in the future? Are the regulations of the Railways Department going to be upheld? That is what I want to know. If they are going to be applied to one individual and not to another, everyone has a right to know; but at the present time nobody knows what is going on. It looks as if the case to which I have referred is *sine die* and will not come up. With all respect to the Minister for Transport, I think some of the top officers of the Metropolitan Transport Trust did not do their job on this

occasion. They knew it was wrong and that they should have taken action. They would have taken action if there had been a "Comm." on the bus and he would have finished up in gaol; but because it was Richard Cleaver he could break the regulations, not on one occasion, but on a dozen. This was done in not one election, but in a number of elections. Whether the Government laughs at the requirements of regulations, I do not know. If the Government obeyed the law we would get somewhere.

I am concerned about certain matters affecting the judiciary. Because of their different qualifications people are appointed to all sorts of judicial posts such as stipendiary magistrate, police magistrate, and through to the judiciary at the top. However, some things they do have left me wondering just exactly where we are heading as a democratic country. There is no democracy when some particular section takes charge.

There have been instances when magistrates have said from the bench that a particular law was silly and have been reported in the Press as having said that. There is nothing worse to make a shambles of the law than those people who are supposed to uphold the law saying the law is silly. If a magistrate believes that a law is silly or unjust, the only action he should take is through the law society, which can refer the matter to the Minister for Justice or a dozen other people. But no! These judges state that the law is silly.

There is the other aspect: when members of the judiciary have been rather critical of juries. If any member here were a member of a jury, what would he feel like if, after having sat for hours trying to reach a verdict, and that verdict was reached, the judge berated him when the foreman had given the decision? The member would ask, "Where do I go from here?" Think of the influence such behaviour would have on the next jury when it was lined up before a judge. The jurors would say, "We have to watch what we say or we will get a tongue lashing."

This is not fair and proper to the community. Those comprising the juries are lay people under the chairmanship of the judge or commissioner. I say in all sincerity that the course the presiding judge should take is to hear the case and direct the jury in law. When he has done that and the decision is given he should make no comment at all, and then he will not get in any trouble. Although the judge is legally permitted to make these comments, it is not ethically right that he should do so.

The SPEAKER (Mr. Hearman): The member for Beeloo has another five minutes.

Mr. JAMIESON: I now come to the point where I draw the Premier into the argument a little in connection with a statement he made earlier today in the

Chamber. He made reference to the fact that I had interjected in a debate. He said, "I am very concerned also at the interjection of the member for Beeloo who said that the overall record of the judge was terrible."

I checked up. I am not too sure exactly what I did say but *Hansard* got me all the other way round and stated I was saying he was a pretty good judge, or something. The rearranged version was, "This was not his only fault. If you examine his overall record it is terrible."

I am not going to get involved with one judge or another. I have given notice of a question which will be answered next Tuesday, and everyone can examine the position and record and say to himself, "What they said is right", or "What they said is wrong." Whatever the Chief Justice or anyone says is a matter of opinion. But members will be able to make up their own mind on that.

I would quickly like to refer members to an extract from *May* and point out that the Premier erred this afternoon badly. He was badly advised. He should not have criticised a member of Parliament except in the way he said the judge should have been criticised. The following is the extract:—

Matters to be dealt with by a substantive motion.—Certain matters cannot be debated, save upon a substantive motion which admits of a distinct vote of the House. Among these may be mentioned the conduct of the Sovereign, the heir to the throne, the Governors-General of the Dominions, the Lord Chancellor, the Speaker, the Chairman of Ways and Means, members of either house of Parliament . . .

The Premier erred because he should have moved a substantive motion. If he had moved a motion of censure on the member for Balcatta he would have probably been within his rights; but he did not. He fell for the same line he claims the member for Balcatta did, and he erred.

#### *Amendment to Motion*

Because of that, I move an amendment—

That the following words be added to the motion:—

But we express our regret that under the cloak of privilege the Premier is permitted at will to make a statement in Parliament derogative of, and offensive to, a member of Her Majesty's Opposition in breach of Standing Orders 125 and 131.

Debate (on amendment to the motion) adjourned, on motion by Mr. Court (Minister for Industrial Development).

*House adjourned at 6.7 p.m.*